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Supreme Court takes two new looks at Miranda

Bolstering its landmark 1966 Miranda decision, the U.S. Supreme Court on Dec. 3 placed new limits on the questioning of criminal suspects, ruling that police may not continue questioning a suspect in custody who has requested a lawyer unless the lawyer is actually present.

In a separate action the same day, the Court let stand a Colorado Supreme Court ruling that in some situations police have fewer rights than civilians to be issued Miranda warnings against self-incrimination.

In the former case, the Justices voted 6-2 to overturn a 1988 Mississippi Supreme Court ruling which held that the police could continue to question a suspect once the suspect had been provided with a lawyer and had consulted the lawyer at least once.

The new ruling overturns the murder conviction of Robert S. Minnick, who was convicted of a 1986 murder committed during a burglary of a mobile home. He was arrested four months later in California by local police executing a Mississippi arrest warrant.

While being held in a San Diego jail for the weekend, Minnick, at his request, contacted a lawyer with whom he conferred two or three times. The following Monday, he was ordered by jail officials to talk to a Mississippi county sheriff who had arrived in San Diego to question him. Minnick made an incriminating statement in the absence of his lawyer, and Mississippi courts ruled that the statement was admissible in court as evidence. Minnick was convicted of murder and sentenced to death.

In its ruling, the Supreme Court further clarified a phrase in its 1981 decision, *Edwards v. Arizona*, which reinforced the original Miranda protections. The *Edwards* ruling said that once a suspect requests a lawyer, all police questioning of the suspect must stop and may not resume "until counsel has been made available" to the suspect. The Mississippi Supreme Court ruled that police had met their obligation under *Edwards* as long as the suspect had a chance to consult with a lawyer at least once. After that, police are free to resume questioning, an position supported by the Bush Administration in an *amicus* brief filed by the Solicitor

General's office.

But the majority of the Justices said that the Mississippi ruling was an overly narrow interpretation of *Edwards*. Writing for the majority, Justice Anthony M. Kennedy wrote that when a suspect invokes his right to counsel he is expressing a desire to deal with the police through that lawyer, and cannot be questioned further unless the lawyer is present.

"A single consultation with an attorney does not remove the suspect from persistent attempts by officials to persuade him to waive his rights, or from the coercive pressures that accompany custody and that may increase as custody is prolonged," Kennedy said. "We decline to remove from protection from police-initiated questioning based on isolated consultations with counsel who is absent when the interrogation resumes."

Kennedy said that under the Mississippi ruling, a suspect would lose the protection offered by *Edwards* once he had consulted with a lawyer. "The suspect whose counsel is prompt could lose the protection of *Edwards*, while the one whose counsel is dilatory would not," he noted.

Kennedy's opinion stressed that the Supreme Court's ruling was a logical application of the *Edwards* decision rather than an extension of it. But Justice Antonin Scalia, in his dissenting opinion, said that the majority opinion was "an expansion of *Edwards*" that "constricts law enforcement."

Scalia called the majority opinion "a veritable fairyland castle of imagined constitutional restriction upon law enforcement" and added that "the Constitution's proscription of compelled testimony does not remotely authorize this incursion upon state practices; and even our recent precedents are not a valid excuse." Scalia's dissent was joined by Chief Justice William Rehnquist.

Mississippi is now free to retry Minnick on murder charges, but cannot use his self-incriminating statement as evidence.

In the Colorado case, the Supreme Court refused to consider an appeal from Daniel Probasco, a Morgan County sheriff's deputy charged with crim-

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Appeal of curfews grows — so does the criticism

Cities weigh pros and cons of keeping youths off the streets at night as a crime-reduction measure

By Jacob R. Clark

In an effort to control rising juvenile crime — as well as to protect kids from becoming crime victims themselves — many municipalities are turning to curfews, a measure widely used in the 1950's to curtail juvenile delinquency. But as local officials dust off the old curfew ordinances or enact new ones, their actions have rankled civil libertarians who contend that the measures infringe on the rights of both parents and children, are racially biased and may be selectively enforced by police.

In a highly publicized action that has fueled the curfew controversy, Atlanta Mayor Maynard Jackson signed an ordinance imposing a strict curfew that went into effect on Nov. 19, in response to rising violence committed by and against teenagers. The ordinance requires all youths under 17 years old to be off the streets by 11 P.M. on weekdays and by midnight on weekends. The ordinance allows police to file misdemeanor charges against parents whose children repeatedly violate the curfew, with penalties of up to 60 days in jail and \$1,000 in fines.

Exceptions are made for youths who are employed or traveling for special events such as concerts. "If you can justify why you're out, you've got no problem," Atlanta police spokeswoman

Marion Lee told LEN.

Other cities may follow suit. Boston is considering imposing a curfew after a steady increase in youth gang-related violence in recent years. The Halloween night gang-rape and murder of a 26-year-old woman by at least eight youths — five of them under 16 — shocked the city and built support for such a measure. Atlanta officials say they are fielding calls from localities nationwide seeking input on formulating their own curfew ordinances. Other cities, like Birmingham, Ala., have decided not to implement curfews but have laid the groundwork that could allow one to be enacted — just in case.

By mid-December, Atlanta police had apprehended 27 juveniles on curfew violations and had cited one parent who refused to come pick up her 12-year-old daughter from a police stationhouse, where she had been detained for violating the ordinance, Lee said.

It remains too early to gauge the effect the curfew has had on the crime rate in the city, where at least 25 young people have been slain this year, most of the victims under 18. The murders — and an increasing number of violent crimes committed by young people — propelled the City Council to act, with Councilwoman Daveeta Johnson sponsoring the ordinance now in effect.

"Our children face a myriad of problems, and this is just one attempt, one tool to help them," Johnson said in a New York Times interview. "A lot of parents have responded positively to the law, but the kids have complained that they are being targeted. We want them to understand that these limits are designed to protect and not harass them."

Lee told LEN that parental support was integral to the passage of the curfew and that officials are upbeat about the prospects for the measure's success. "If we can keep them in school during the day through our truancy program, if we can keep them at home at night through our curfew, we feel that it's got to have a positive long-range impact," she said.

Whether that impact will realized remains to be seen, as civil liberties groups in Georgia and elsewhere rally to challenge them. In recent years, civil libertarians have successfully challenged curfews in Detroit; Newark and Camden, N.J.; and Washington, D.C. Ellen Spears, acting director of the American Civil Liberties Union of Georgia, said the group is opposed to Atlanta's curfew on the "constitutional grounds that it limits young people's freedom of assembly" and because it

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Hail to the Chief:

City gets rebuffed in bid to recoup outlays for Presidential protection

Officials in Rochester, Minn., who sent a bill to a wing of the Independent-Republican Party last month seeking to recoup over \$12,000 in police overtime expenses incurred during recent campaign visits by President Bush and Vice President Quayle, should not expect a check in the mail anytime soon.

Dan Rice, executive director of Victory 90, which coordinated Republican efforts in the state's November elections, forwarded the bill for \$12,607.95 to the Secret Service, the Federal agency charged with protecting the nation's leaders. The Republican Party paid \$26,000 for security, advance people and expenses for Bush when he visited Rochester.

"Quite honestly, it's highly, highly irregular. I've talked to people at the White House and it's virtually unheard of for a local municipality to bill for services like that," said Rice.

Allan Cramer, a Secret Service spokesman, told LEN that the bill will probably be returned to Rochester officials "with an explanation that we don't reimburse. We don't have that in our funding to reimburse localities for services rendered while helping us on a protective assignment."

City Administrator Stevan Kven-

vold had sent the bill to Victory 90 not long after both Bush and Quayle had visited the city on an election campaign swing for state Republican candidates. Included on the bill were \$3,121.67 in police overtime to protect Quayle, \$9,008.86 for police protection of Bush, and \$477.41 in fire department expenses connected with the visits. Police Chief Patrick J. Farrell said that police officers from Minneapolis, the Hennepin County Sheriff's Department and from agencies in nearby towns provided the 96-officer Rochester Police Department with additional manpower during the Bush visit.

Kvenvold reasoned that since Bush and Quayle were on partisan political campaign trips and not on "official" visits — in which case the city would gladly pay the extra costs of security — taxpayers should not have to foot the bill for the extra protection required.

"It was forwarded under the assumption that the Republican Party had wanted to identify those campaign-related expenses and were receptive to paying those bills. It's probably a little unusual that those bills are submitted to them," Kvenvold admitted.

While Kvenvold told LEN that the bill was not a "slur" on the Presidency,

he added that it was hard to draw the line on the issue of who should pay expenses incurred by localities as a result of a partisan campaign trip. The President, he said, "was here to raise money and influence the outcome of a local election."

"If you come in strictly for a campaign-related appearance, that's more of a party expense than a public expense," Kvenvold added. If a President made several such trips a year to a given city, "I think there would be a general outcry at having the public pay for them. It's sort of a toss-up."

Cramer told LEN that only New York City and Kennebunkport, Me., the site of Bush's summer retreat, receive Federal reimbursements for extra protection afforded to high-level Federal officials, and only after their district representatives lobbied and received Congressional approval for such payments.

"You have to remember that they still are the President and the Vice President, and the Secret Service doesn't differentiate between official visits, political visits, vacations or whatever. They still get a complete security package wherever they go," said Cramer.

What They Are Saying:

"It's ludicrous to think that someone who's out committing felonies is going to look at his wristwatch and say, 'Oops, it's 11 o'clock, I'd better go home.'"

Arthur Spitzer, legal director of the National Capital Area American Civil Liberties Union, on the effectiveness of curfews in curbing youth crime. (6:2)

Around the Nation

Northeast

CONNECTICUT — Federal officials have nearly completed their report on the secret taping of phone calls by Connecticut State Police officials, the Hartford Courant reported late last month. The investigation is expected to support a claim by State Police officials that the tapings were not meant to violate the law. The tapings, revealed in late 1989, forced Supt. Lester J. Forst to step down. [See LEN, Nov. 30, 1989.]

Hartford police are seeking horses for its mounted patrol unit after a decision last spring to disband the unit was rescinded in late November. Donors can call 203-722-8278 for more information.

DELAWARE — Isom Cooper, 26, has accepted a \$55,000 settlement against Wilmington police who he claimed shot him after he had surrendered after a high-speed chase in 1985. Cooper is in Gander Hill prison awaiting trial on unrelated charges of forgery and theft.

MASSACHUSETTS — Taunton Police Chief Paul Westcoat was ordered to appear before the City Council on Dec. 17 to explain the department's domestic violence response policy, after a woman who called police seeking protection from her husband was later beaten. She claims the police told her to go to court for an order of protection.

About 70 people rallied early this month in Lawrence against police for taking three months to reveal that a serial rapist had attacked five women, including a 13-year-old girl. Police blamed a staff shortage and say they are seeking a 17-year-old suspect in the attacks.

NEW HAMPSHIRE — Dover police would have saved \$1 million if they had apologized and provided money for legal expenses to man mistaken for a jewel thief, said Andrew Issac, an attorney who represented Kenneth Duval, who won a million-dollar judgment in a Federal civil rights suit against the Police Department this month. Police alleged that Duval, of Lawrence, Mass., was part of a gang that committed jewelry thefts throughout the Northeast.

NEW JERSEY — Watchung police officer Richard Cashin was arraigned Dec. 21 on charges of raping a 10-year-old girl at his home in May. He has been suspended from police duty, officials said.

NEW YORK — For the first time, New York City's unofficial homicide rate rose to over 2,000 early this month when seven people were murdered in a seven-hour span on Dec. 1-2. In 1989, police tallied 1,905 murders.

New York City police say they are having difficulty formulating strategies to battle a rise in criminal activity by loosely organized groups of young people who rob, rape or kill for money and thrills. Police are maintaining surveillance on more than 50 such groups, as well as 39 gangs formally identified by the Police Department. Recent examples of their crimes include the brutal Halloween night slaying of a homeless man by a group of as many as 18

youths, and recent violent robberies of expensive leather jackets.

A Monroe County Court jury has found Arthur J. Shawcross guilty of the serial murders of 10 Rochester women, most of them prostitutes, rejecting defense arguments that Shawcross, a paroled child killer, was legally insane or severely emotionally disturbed when he committed the killings. Shawcross will be sentenced on Feb. 1 and his lawyer said he will appeal the convictions.

PENNSYLVANIA — A joint drug sweep by Allegheny County and State Police on Dec. 11 through five Monongahela Valley communities netted at least 27 drug suspects, including two people wanted on homicide charges. The operation began about six months ago, officials said, and during that time undercover agents purchased nearly \$15,000 in drugs, mostly crack cocaine. Sixteen other suspects named in warrants are being sought.

RHODE ISLAND — DEA officials said the \$10 million in the hallucinogenic drug PCP seized late last month was the largest New England drug seizure ever. Four people were arrested and two others are being sought as part of a drug ring that supplied PCP in the United States, Canada and Australia.

Providence Police Chief Walter Clark retired early this month because of recurring back pain. The 50-year-old chief's retirement came on the same day he was hired as a police clerk in 1962.

VERMONT — The State Supreme Court ruled this month that Catherine Richards, a Springfield woman whose daughter was abducted and killed almost eight years ago, can sue former Police Chief Peter Herdt for emotional distress because Herdt blocked her family's efforts to search for the girl.



ALABAMA — A Georgia man wanted by Ozark police for a 1989 stabbing death was captured in New Orleans by authorities acting on a tip provided by a viewer of the "America's Most Wanted" TV show. Police Chief Alan Benefield said Dec. 10 that Dennis Ray Butler, wanted in the death of Thomas Head of Ozark, refused to waive extradition to Alabama to face capital murder charges.

FLORIDA — Four Miami men were arrested Dec. 14 in Key West, and accused of picking up half a ton of cocaine that had been dropped from a plane into the ocean. Police seized two boats, a van and 1,045 pounds of cocaine worth about \$10 million in what officials said was the largest haul of the drug in at least two years.

State officials say the marijuana growers in the state's Panhandle region harvested a bumper crop this year. Officials say growers continue to plant on industrial or state lands so they won't risk having their own properties seized, and add that declines in pot seizures in some Panhandle counties indicate that many pot-growing operations have moved indoors to avoid detection.

A nine-year veteran of the Hillsborough County Sheriff's Department has been fired for making 17 bomb threats to Tampa-area pharmacies to feed his addiction to painkillers. Deputy Raymond Leo Novitis was arrested Nov. 23, on duty and in uniform, after walking out of a pharmacy where he had responded to a bomb threat he later admitted making. Novitis, 40, told investigators he had become addicted to painkillers after recent surgery.

Hollywood police officer Stephen Nicastro — one of three officers accused of raping a woman in an Altamonte Springs hotel room — was fired from the force Dec. 4 after an internal probe revealed a history of infractions and suspensions.

GEORGIA — The Henry County Board of Commissioners on Dec. 14 shelved its proposal for a new police department until January, citing the divisiveness the plan had brought to the community. County Attorney Ernest Blount announced the decision during a hearing in Fayette County Superior Court on a lawsuit brought by Henry County Sheriff Donald Chaffin to block the plan.

Gilmer County Sheriff Larry E. Henson resigned from office and pleaded guilty Dec. 14 to taking payoffs from law officers who posed as drug manufacturers seeking protection. Henson's plea was made in exchange for an agreement from the Federal Government not to prosecute him on extortion, arson and racketeering charges stemming from abuses that occurred from 1987 to 1990. Henson and his two brothers, Steve and Alex, both former deputies who also entered guilty pleas on the same charge, will be sentenced Feb. 22.

LOUISIANA — A New Orleans grand jury acquitted police officer Stephen Larroque late last month of charges in the March beating death of escaped convict Adolph Archie after Archie had fatally shot another man. A Federal civil rights probe into Larroque's action continues.

Police in Lake Charles plan to follow up drug raids that brought 32 suspects in custody on Nov. 30 with more raids aimed at capturing 325 suspects over the next 30 days. The drug sweeps came after a 14-month investigation.

MISSISSIPPI — Tupelo Police Chief Ed Crider, 64, resigned late last month because he had heard rumors that the city's Board of Aldermen planned to fire him at a Nov. 20 meeting. He had been chief for 21 years.

SOUTH CAROLINA — The group Citizens Against Violent Crime will seek approval from the Legislature for a victims' rights amendment in January that would allow victims to seek restitution from their assailants. One member of the group, G. Robert Ross, said the amendment would also require that victims be allowed to confer with prosecutors on plea agreements, speak during bond hearings and make statements during sentencing.

The Charleston chapter of the NAACP has asked for a Federal probe of the Oct. 30 shooting of Cornell Brown by white police officer Francisco Cofino. Police claimed the father attacked them with a knife.

TENNESSEE — Three Memphis car salesmen, accused on Dec. 11 of helping cocaine dealers to conceal drug profits, are the first retail businessmen in the state to be charged with laundering drug money, the FBI said. The three were arrested on a Federal indictment charging 14 people with money laundering and cocaine conspiracy as part of a drug ring that brought 100 pounds of cocaine from Miami to Memphis over a 10-month period.



ILLINOIS — A Federal appeals court has ruled that racial discrimination was not a factor in Oak Park's failure to promote a former patrolman or in the village's decision to fire the officer. U.S. District Judge James Zagel said Selester Gilty, who is now the Police Chief of Ford Heights, failed to prove that he was not promoted to sergeant because he was black, nor that he was fired for bringing the lawsuit. Gilty claimed officials scored him low on a promotional exam because of race.

Lake County State's Attorney Michael Waller on Dec. 10 said a preliminary investigation indicates that the shooting death of a man by Wauconda police was "justifiable" because Mark Moore, 28, fired shots at one officer and tried to wrest a weapon from another. Officers were called to Moore's home to investigate a report of a shooting on Dec. 7.

An Albanian immigrant was found guilty Dec. 10 of murdering an off-duty Cook County sheriff's deputy of Serbian descent in a crowded North Chicago bar in March 1989. Kol Balaj, 33, fought with Branislav Neskovic, 38, wrested the deputy's weapon from him, and fatally shot him. Balaj contended that the gun discharged accidentally.

The 33-year-old sister of an off-duty Chicago police officer was arrested Dec. 9 and charged with stabbing her brother to death outside a West Side club. Police said Evelina Robinson stabbed her brother, Calvin Polk, 37, after he tried to break up an argument she was having with a man at a basement social club.

INDIANA — Prince's Lakes police and other officials are being investigated by the State Police on allegations of illegal purchases and improper use of employees. State Police said they were alerted to alleged misconduct by letters from town residents.

MICHIGAN — State Police Director Col. R.T. Davis said he would retire on Jan. 19 rather than become a lieutenant colonel if Governor-elect John Engler replaces him. Engler said he would replace Davis because the colonel's post is too politicized.

Saline Police Chief James Douglas lost his bid to unseat U.S. Representative Margaret O'Connor in November elections by a margin of 46 votes, a recount early this month revealed.

OHIO — A Seneca County sheriff's deputy resigned after being charged Dec. 14 with having sex with a 15-year-old girl when he was employed at the Seneca County Youth Center in Tiffin. Mark Stevens, 24, the son of a sheriff's

department captain, had been indicted on one charge of corruption of a minor in 1989.



MINNESOTA — A Minneapolis police review board began a probe Dec. 3 into the fatal shooting of Tycell Johnson, 17, by police officer Daniel May. The shooting occurred Dec. 1 as police attempted to break up a fight involving 50 people, and after Johnson refused to drop a gun.

MISSOURI — Forensic anthropologist Michael Charney will attempt to identify the remains of a woman whose decomposed remains were found in a barrel by Maryland Heights police in October. Police could not determine the woman's height, weight, age or race, and Charney will attempt to make a clay model of the victim's face. The model will be photographed and the photos distributed.

MONTANA — A state judge awarded a Park County Sheriff's deputy \$5,000 in a slander suit that stemmed from an incident in which the deputy, 7-foot, 275-pound Hank Tashjian, allegedly hit 5-foot-10, 175-pound Patrick Edgmon while arresting him on a DUI charge. Edgmon claimed that the deputy's arrest procedure was brutal and that Tashjian split his lip and chipped a tooth. Judge Byron Robb concluded that if the strapping deputy had actually punched Edgmon, he would have received far more serious injuries.



COLORADO — Two boys — ages 15 and 17 — will stand trial on attempted murder and assault charges in connection with an Oct. 7 bias attack against Japanese students, who were beaten with baseball bats. Two other men were also charged in the attack at a Denver high school.

Police believe that El Paso County Sheriff's Lieut. Cecilia Cepriane Benefiel, 32, was killed after surprising burglars in her home on the weekend of Nov. 14-16. A hunt for suspects is continuing.

NEW MEXICO — Silver City residents petitioned early this month for a grand jury probe of civil rights violations by city police and the Town Council's inaction on their charges. The violations were not detailed in the petitions.

OKLAHOMA — Ten middle-school students in Guthrie were suspended early this month for trying to sell alfalfa hay as marijuana. The seven boys and three girls were suspended for violating school policy, said Guthrie Junior High School principal Cheryl McCrocklin. Police Chief Hank Land said the attempted sale was a violation of the law even though it was only "turkey dope."

Around the Nation

Randy D. Kilgore, 31, the Police Chief for the Southwestern Oklahoma State University, was killed in a head-on collision near Alva on Dec. 10. Highway Patrol officials said Kilgore, who was not wearing a seat belt, died after the car he was driving went left of center on U.S. 64 and hit a tractor and the flatbed trailer it was towing.

A woman convicted 10 years ago of fatally shooting an Oklahoma City airport policeman and wounding his partner was released from prison, corrections officials confirmed Dec. 10. Rita Silk Nauni was convicted in 1980 of killing Garland Garrison and wounding officer Teresa Wells in September 1979. Her murder conviction and 150-year sentence were overturned in 1987 because the prosecutor in her case withheld information from the defense and encouraged Wells to give false testimony. Oklahoma City Police Chief David McBride said Nauni's release undermines the public's confidence in the criminal justice system.

TEXAS — An Travis County grand jury found that Austin police officer Tobias Santiago acted in self-defense when he shot and killed 17-year-old Arthur Martinez, who police say pointed a gun at the officer during the arrest of several teenagers. The lawyer representing Martinez' family say the youth was unarmed and they will file a civil suit in the matter.



CALIFORNIA — A Federal jury in Los Angeles on Dec. 11 acquitted jeweler Peniamin Mashedjian, one of nine defendants charged with taking part in an international scheme to launder \$350 million in drug profits through downtown jewelry stores. Verdicts are still pending for eight other defendants, including Raul Vivas, an Argentine gold dealer who was convicted on two counts in earlier deliberations.

A Bolivian described by officials as a powerful cocaine trafficker and a leading supplier of unrefined coca to Colombian cartels was arrested at his estate in San Marino on Dec. 13. Jorge Roca Suarez, 38, and his wife, Cecilia Beatrice Roca Torres, 40, were arrested and charged with conspiracy to possess cocaine with intent to distribute.

Followers of the Maharishi Mahesh Yogi are lobbying California officials to back legislation that would finance Transcendental Meditation (TM) programs for inmates. Proponents say such programs cut recidivism rates and could sharply cut the cost of running prisons. A study of parolees from San Quentin between 1975 and 1982 showed that among former inmates who used TM in prison, there were 30 percent fewer returns to prison than in a similar group of ex-prisoners who had not learned the 20-minute relaxation technique.

The West Hollywood station of the Los Angeles County Sheriff's Department will offer the city's 130 deputies and police officers special training in the handling of animals after Jan. 1 as part

of a larger program to familiarize police with the community. The action was sparked by the fatal shooting of a homeless man's dog early this month.

A California Highway patrol officer caught three men trying to steal his car Nov. 29 and fired a shot when one of them threatened him with a screwdriver in front of the unidentified officer's Westminster home. One of the three men were captured by police.

Bail has been set at \$1 million for Richard Yerger Jr., a 61-year-old Palmdale man accused of running a \$100-million-a-year underground marijuana farm.

San Diego police shot and killed two men in two days early this month, bringing the number of fatal shootings by the city's police to 12 this year.

HAWAII — Honolulu Police Chief Douglas Gibb is studying a plan to photograph speeders and handle tickets by mail, but the ACLU says the system would violate a defendant's right to due process and a fair trial. Oahu police are cracking down on speeders since it was found that 21 of 75 fatal accidents in 1990 were linked to speeding.

OREGON — Taxicab drivers in Portland are taking extra precautions after a series of robberies in the past two months. Nine similar robberies have been reported to authorities since Oct. 20, and police say the 32 cabbie robberies recorded this year are slightly above average. No cab drivers were seriously injured.

A Clackamas County grand jury ruled Dec. 10 that two sheriff's deputies were justified in shooting and killing a Milwaukee man. Edgar S. Mura and Kevin Layng were among three deputies who responded to a report of a man threatening three women with a gun. James R. Talley, 22, was shot Nov. 4 after he fired a revolver at one of the deputies and both deputies returned fire.

Sheriff's deputies in four counties in northwest Oregon are hunting for a gang of armed robbers who burst into the homes of older persons, bind the victims with tape, beat them and ransack their homes. Authorities believe that four robberies in Clackamas, Multnomah, Clatsop and Washington counties were committed by two armed men who are part of a gang.

WASHINGTON — Spokane officials conducting an undercover sting operation seized a cache of firearms early this month, including a "street sweeper" repeating shotgun favored by drug dealers. The seizure came after undercover members of the Spokane Regional Drug Task Force, working with agents from the U.S. Bureau of Alcohol, Tobacco and Firearms, made a deal to trade marijuana and cash for guns, authorities said. It was the first seizure of a "street sweeper" weapon in Spokane. One man was arrested.

Air Force officials joined Tacoma police in a drug sweep on Dec. 11 and rounded up 31 suspected cocaine dealers in the city's Hilltop section. The military became involved four months ago after it learned some servicemen arrested on drug charges at McChord Air Force Base had purchased drugs in the Hilltop section.

Budget-gap fallout may slam Vermont CJ system

Vermont criminal justice officials are negotiating with the administration of incoming Gov. Richard Snelling in an effort to forestall budget cuts that could cause the state's attorneys and sheriffs to lay off staff and force prosecutors to handle criminal cases on a priority basis.

Jan. 15 is the date that Vermont's 14 state's attorneys may have to begin layoffs in an effort to stave off a near-total shutdown of the state's prosecutorial system later in the year if staff cuts are not made, said Thomas Torti, executive director of the Vermont State's Attorneys' and Sheriff's Departments. Between 15 and 35 prosecutors could lose their jobs, he added.

The state needs about \$290,000 to forestall those layoffs, said Torti, who declined to speculate on the likelihood that the necessary funding would be made available.

But Torti said that "productive" negotiations with aides to Governor-elect Snelling are taking place, which allowed the state's attorneys offices to push back austerity moves that were originally scheduled to occur on Dec. 1. Snelling's staff "were willing to propose to the next Legislature a budget adjustment that would basically see us through to the end of this fiscal year," said Torti.

Snelling also granted the state's attorneys an early spot in budget hearings so that progress can be made to ease the crunch. Now prosecutors are simply waiting for news of the outcome. "We've had our budget hearing with the Governor-elect, but we haven't been issued a final number from

them," said Torti.

Vermont's "severe economic downturn" has brought the state a \$70-million deficit this year, forcing state officials to implement pro-rated cuts. Torti said the state's attorneys and sheriffs — who receive state aid in return for the transportation of prisoners, serving summonses and special law enforcement duties — have watched their share of the budget shrink from about \$1.5 million to \$1.4 million during fiscal year 1991.

"Most of our money is in salaries," Torti noted, and thus the best way to cut expenses is through layoffs.

If the layoffs occur, state's attorneys will be forced to map out priorities, and in some cases, simply not try certain criminal charges. "What specific crimes or types of crimes will be dependent on the level of cuts," said Torti, who added that prosecutors are already drafting contingency plans. "I believe prosecutors at this point are closely reviewing cases that are coming in. I don't think any prosecutor has stopped handling cases, but two state's attorneys' offices which have been assessed cuts — those in Windham and Windsor counties — will probably take some action subsequent to Jan. 15," Torti said.

Cases that could be affected by the layoffs include forgery, welfare fraud, disorderly conduct, shoplifting, and juvenile cases like truancy, said Torti. Some DUI cases may also be affected, he added. "What we would be left with would be violent crimes against people, crimes of personal injury, and crimes against kids — real serious child abuse

or sexual abuse types of cases."

The state's sheriffs' departments are not in an enviable budgetary situation either. They are operating with 22 percent less funds — adjusted for inflation — than they had in 1985, a situation Torti characterized as "unconscionable." If they don't receive "significant relief" this year, he warned, "they'll run out of money to buy gas for their cruisers. And they'll be cutting about one-third of their work force, which will have an impact on the courts and everyone else. Prisoners won't be moved and arrestees won't be at court at the appropriate time."

Sheriffs will be able to continue their law enforcement duties despite decreased work forces, Torti added.

Gary Forrest, the Sheriff of Bennington County and president of the Vermont Sheriffs' Association, declined to comment on the budget crisis, pending the outcome of negotiations. "We're looking the whole budget situation over," he said. "We really haven't made any commitments to say what we're going to do and what we're not going to do."

Torti said that the state's criminal justice system may have to weather even more stormy fiscal times in fiscal year 1992, which begins July 1. The "worst-case scenario" is that state's attorneys' offices cut up to 40 percent of their work force. "It doesn't take a lot to read into what effects, not only on the prosecutorial system, but rolling backwards into law enforcement that would have. If we tell the cops we're not going to handle certain types of cases, they're not going to bring them."

Recession notwithstanding, accreditation is rolling along

Eight agencies were accredited and one agency was re-accredited at the winter meeting of the Commission on Accreditation for Law Enforcement Agencies (CALEA), held Nov. 16-18 in St. Paul, Minn., where CALEA officials also plotted the course of the commission for 1991, including the passage of a \$1.4-million "no-growth" budget.

Law enforcement agencies that received the CALEA and for accreditation for the first time were the Manatee County, Fla., Sheriff's Department; the Wheeling, Ill., Police Department; the Waltham, Mass., Police Department; the Hennepin County, Minn., Sheriff's Department; the Salisbury, N.C., Police Department; the Clermont County, Ohio, Sheriff's Department; the Springfield, Ore., Police Department; and the Maryville, Tenn., Police Department.

The Covington, Ga., Police Department was re-accredited after it had been initially rejected at CALEA's July meeting in Pittsburgh, when it was found not to be in compliance with affirmative action requirements. The commission granted the re-accreditation after hearing testimony that the Police Department had implemented a new affirmative action plan approved by the Covington City Council.

The Salisbury and Maryville departments were "re-accredited with conditions." CALEA executive director Kenneth Medeiros said that the two agencies had recently developed re-

cruitment programs to comply with CALEA standards, but the programs have not yet been in place long enough to effectively assess them. The two agencies were instructed to report on their progress at the end of the year, he told LEN.

The latest round of approvals bring to 164 the number of accredited agencies in the United States and Canada. Florida's nation-leading total of 23 accredited agencies is followed by Virginia with 18, and Ohio and Illinois, each with 14 accredited agencies. Florida also has the highest number of agencies in the CALEA system — agencies that have either received accreditation or are in self-assessment or awaiting on-site assessments — with 86, followed by Ohio with 71, and Illinois with 66. Currently, a total of 857 agencies are at some point of the accreditation process, Medeiros said.

Looking ahead to 1991, CALEA commissioners pared down a \$1,580,800 budget request and instead approved a \$1,471,000 budget for 1991. Medeiros noted that in recent months the number of agencies seeking accreditation has slowed from the projected eight per month to about six. While East Coast agencies seemed more affected by the economic downturn, he added, agencies in Illinois, North Carolina and Texas are continuing to seek accredited status.

Stretched local budgets — and higher fuel costs spurred by the Persian

Gulf crisis — may be forcing some law enforcement agencies to hold off on plans to seek accreditation, which costs about \$11,000 per agency, Medeiros acknowledged.

"Suddenly, now they're faced with a major increase in an item [fuel] that they don't have a hell of a lot of flexibility with. So they're going to have to reallocate other monies to support their gasoline budget, at least until this issue is resolved," he said.

CALEA's 1991 budget, while "very conservative" and based on the assumption that six agencies will enter the process each month, leaves the commission in "good shape," Medeiros said. The "no-growth" budget will be reviewed at CALEA's next meeting in March, he added.

Medeiros also noted the increasing role played by Police Accreditation Coalitions (PACs) in providing information and advice about accreditation. The 22 PACs are grass-roots organizations that offer support and technical information to agencies interested in accreditation. Twenty PACs are state groups and two are special-interest groups, one representing state agencies and another for campus police. Each PAC represents 20 to 40 agencies, many of which are not involved in the accreditation process, but use the PAC "to acquaint themselves with accreditation — and perhaps even to make the decision of whether or not to pursue it," Medeiros said.

Food for thought

A Santa Ana, Calif., police sergeant recently learned that one should never underestimate the productive powers of Chinese fortune cookies.

While enjoying a meal in a favorite Chinese restaurant on Nov. 16, Sgt. John Dittus and his family discussed speculation that his El Toro-based Marine Reserve helicopter squadron might be ordered to duty in the Persian Gulf. Dittus broke open his after-dinner fortune cookie and discovered a startling message.

"It said, 'You're going to that far-off land that has been on your mind.' I showed it to my wife and I practically had to give her CPR," said the 21-year police veteran.

Three days later, the 44-year-old law enforcer was notified that his unit was being activated as part of an "involuntary Presidential call-up." He reported to the base on Nov. 27 and was expected to head to Cherry Point, N.C., the last U.S. stop on a trip that will end in Saudi Arabia, where he will join hundreds of thousands of U.S. military personnel poised for battle with Iraqi forces.

Dittus is the second Santa Ana police officer to heed the call-up. Warrant officer Jim Maddox, 33, left Nov. 26 for Camp Pendleton, and was also headed for Saudi Arabia.

Dittus, a veteran Marine intelligence analyst who saw action in the Dominican Republic and Vietnam, will probably be in Saudi Arabia for at least six months — and more likely at least a year. But with the good-natured humor for which he is noted in the Police Department, Dittus said he does not approach his latest assignment with trepidation.

"I'll probably be spending my time over there looking for a Winchell's

doughnut shop," he told the Orange County Register.

But he has discussed fears about his mission with his family. "At first it was a fear of the unknown — 'What's going to happen down the line?'" he said. "Hey, I'm not some 21-year-old kid who wants to jump on hand grenades. Then you intertwine all that with thoughts about your family."

Finances and other responsibilities are also a major concern for Dittus, who figured he'll take a \$3,300 pay cut while serving his country. But the Wells Fargo Bank has agreed to keep the second mortgage on his Orange County home in abeyance, and the bank that holds the first mortgage has "promised to work something out."

Casey at the bat

Willis A. Casey, a 29-year veteran of the 1,769-officer San Francisco Police Department, was sworn in Nov. 28 as the city's 33rd police chief.

Casey replaced Frank Jordan, who abruptly resigned on Oct. 18 amid speculation he may be planning a campaign to challenge Mayor Art Agnos in next year's election. Ironically, it was Jordan who beat out Casey for the top job when former Mayor Dianne Feinstein appointed him as Police Chief in 1986.

Casey, a native San Franciscan who holds a bachelor's degree in political science and a master's degree in government from the University of San Francisco, joined the force as a patrolman in 1961. He was promoted to sergeant in 1969 and to lieutenant in 1973.

In 1980, Casey was appointed chief of the Airport Police, and was promoted to captain in 1982, while still assigned to duty at San Francisco International Airport. In 1985, he became commander of the department's Technical Services Bureau, and the following year, was promoted to deputy chief of the Police Administration Bureau. He became the assistant chief and Jordan's chief of staff earlier this year.

Louisville slugger

Louisville, Ky., Mayor Jerry Abramson selected 19-year police veteran Doug Hamilton as the city's new Police Chief on Nov. 30, and observers said the selection of Hamilton, who most recently served as commander of the agency's community-development unit, should help boost morale within the 663-officer force following the controversial ouster of former chief Richard Dotson in August.

Hamilton, 39, was selected from six finalists tapped from within the department by a search committee headed by J. Price Foster, a criminologist who is the dean of the University of Louisville's College of Urban and Public Affairs.

Abramson said he was impressed with Hamilton's ideas for restructuring the department to provide more community service, and expressed confidence that Hamilton's background was clean. Background was an issue since Dotson's removal was precipitated by allegations that he had abused two former wives and had sexually harassed

three female employees of the Police Department. Dotson was demoted to captain and assigned a desk job working for Hamilton, and James Aubrey was named as acting chief.

It was Dotson who had advised Abramson not to promote Hamilton to major from lieutenant last year, although Abramson did so anyway. Abramson also said Hamilton will be allowed to choose his own staff without interference from the Mayor's office.

Ray Franklin, president of Fraternal Order of Police Lodge No. 6, said he expects that Hamilton's selection will improve departmental morale, which he described as having become "stagnated" in the months since Dotson's firing. "Everybody has been looking for stability in the front office," he told the Louisville Courier-Journal. "Now that it's here, we're all very hopeful."

Hamilton, who is pursuing a bachelor's degree in police administration at the University of Louisville, has served in each of the department's six districts and is a former narcotics detective.

Community-minded

Torn Potter, the new Police Chief of Portland, Ore., said in an interview with LEN that he hopes a five-year plan to implement community-oriented policing on a department-wide basis will aid police and residents trying to solve the city's drug and gang problems.

Potter, a 24-year veteran of the 800-officer Police Bureau who moved up the ranks and replaced retired Police Chief Richard D. Walker on Nov. 14, has been at the forefront of efforts to spur the implementation of community-oriented policing in Portland, most recently as the commander of the community policing division. The Police Bureau announced last January its intention to imbue the philosophy throughout the organization over a five-year period. And Potter, 50, said his chief goal is to ensure that switch occurs.

"We want our entire organization to think in terms of community policing," he said. "We believe it's important to decentralize decision-making in the organization so that it's not only at the top but also made at the level where it's most important. We believe in decentralizing our resources, putting officers and other support such as detectives out into the communities."

Part of that decentralization has been realized through the development of "community contact offices," storefront-type neighborhood police stations that serve as contact points between police and residents. Three such offices are in operation now, and Potter said five more will be opened by the end of 1991. "As community policing becomes more institutionalized, this will be more the way we do business," Potter said.

Portland's crime problems are not much different than those facing other large U.S. cities, said Potter, who noted that drugs and a corresponding increase in youth gang activity "are symptomatic of other things going on in our society." Potter said the Police Bureau will break away from the more traditional reactive form of policing in an attempt to address the larger societal issues that breed crime in a partnership with the community.

"You get into areas where in traditional law enforcement, it was really

none of our business before. Our business was to go out and arrest people and that's how we protected society. With community policing, we have to begin to shift our thinking. We've got to become problem solvers.... Crime just isn't a problem for the police, it's a problem for the community. So each has to accept the responsibility — the community and the police — to solve the problem," he said.

The tangle of Vines

A misdemeanor perjury charge against former Dallas Police Chief Mack Vines was refilled in Dallas County District Court on Nov. 21, one day after a visiting judge quashed the original charge because its wording was "inadequate."

Assistant District Attorney Ted Steinke told LEN that the District Attorney's office refilled the case to add "the language that was missing in the charging instrument, but there was no determination made on the merits of the case at all."

Vines was charged in August with seven counts of aggravated perjury — all third-degree felonies — but a grand jury on Sept. 12 indicted him on just one misdemeanor perjury count. The charge — punishable by a maximum one-year jail term and a \$2,000 fine — alleges that the former chief lied during testimony he gave to a special panel reviewing an internal police investigation of a Dallas officer who was fired after fatally shooting an unarmed man in 1989. The grand jury indictment precipitated Vines' removal as Police Chief by City Manager Jan Hart. [See LEN, Sept. 15, 1990.]

The Dallas Morning News reported early this month that Vines is currently serving as a consultant to a private corporation that is helping officials in Bulgaria to improve "criminal justice and safety" in the wake of political reforms in the Soviet bloc nation. Vines denied that he was preparing to take a job in Bulgaria to help that country revamp its police force. "It's just too early to even discuss anything about it because it's still in the embryo stage," he said. Vines is free to travel as long as he returns for his trial for which no date has yet been set, Steinke said.

Meanwhile, one of Vines' most outspoken supporters is having legal problems of his own. Dallas County Commissioner John Wiley Price, who threatened to "set this city on fire" following Vines's dismissal, was charged with criminal mischief on Dec. 14, following a rally to protest the hiring practices of NBC's local television affiliate. Price allegedly blocked vehicles from entering or leaving the station and broke windshield wipers on some cars. The station's personnel taped the entire episode, Steinke said.

The Dallas County District Attorney's office filed a motion to revoke Price's six-month probation, which he received after being arrested last summer for painting over alcohol and tobacco billboards in minority neighborhoods, Steinke added.

On Nov. 21, a Dallas grand jury decided not to indict Price in connection with an altercation near his home with Dallas policeman Robert Bernal, 26. Price admitted he punched Bernal after the officer ran by his yard on Nov.

5 and yelled racial slurs. Bernal, who is Hispanic, said that Price chased him in his car and aimed an Uzi machine gun at him after an exchange of words. Price said the weapon was an air pellet gun, not an Uzi, and denied aiming it at Bernal.

Bernal was "rightfully upset" over the incident, said his lawyer, Bob Baskett, in an interview with USA Today. Bernal had been wounded in September in a drive-by shooting a week after Price made a "call to arms" to Dallas' minority residents over the choice of a police chief. More than 1,200 demonstrators marched on City Hall after the incident in support of Price.

A grand jury decided not to indict after the two men met several times to settle their differences and Bernal withdrew his complaint. The two men signed a joint statement in which both publicly admitted their wrongdoing and apologized to Dallas citizens that their actions "contributed to discord at a time when the city needed harmony."

"Basically, they kissed and made up," added Steinke.

Indicted, now fired

Rochester, N.Y., Mayor Thomas Ryan fired Police Chief Gordon Urlacher on Dec. 6 — the same day that U.S. Attorney Dennis Vacco announced a three-count indictment against the 25-year police veteran for "misapplying and embezzling" \$150,000 in city funds.

Ryan said he fired Urlacher, who has been chief of the 600-member department since 1985, to "protect the interest of Rochester taxpayers."

The dismissal came just two days before Urlacher, 47, was scheduled to retire, and was seen as an effort to prevent him from receiving \$3,200 in retirement health insurance benefits. Urlacher is still eligible to receive a public pension that will pay him about \$38,000 a year.

Urlacher, who was arrested Oct. 18 by FBI agents on charges of embezzling at least \$58,000 in funds used for undercover drug buys, faces up to 10 years in prison and \$250,000 in fines if convicted. Investigators allege that Urlacher used some of the embezzled funds to pay his daughter's college tuition and tabs at local taverns.

Vacco, who released scant details about the Urlacher investigation, said the indictment against the former chief came after a two-month investigation of vice squad officer Robert Kilpatrick, who was suspended in August because of allegations that he took more than \$79,000 from the agency's property room.

Urlacher pleaded not guilty to the charges leveled against him in October and was released on \$50,000 bail. Five other top police officials, along with Urlacher, were suspended after the chief's October arrest. Roy A. Irving, the department's deputy chief of administration — and the man who carried out Urlacher's arrest — is serving as acting chief, while other positions left vacant by the suspensions were filled from the ranks.

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Those who help, help themselves

Each year, tens of thousands of law enforcement officers are injured on the job from gunshots, stabbings and other attacks, as well as in automobile accidents and a host of other mishaps. There

BURDEN'S BEAT

By Ordway P. Burden

are no national statistics on the total number, but some indication of the size of the problem can be inferred from the FBI's Uniform Crime Reports. The UCR for 1989 lists 21,893 officers as having suffered injuries from assaults alone. Add in such incidents as car crashes, falls, explosions and fires and the total of injured officers would probably be at least double.

When an officer is seriously injured or permanently maimed, there is a flurry of concern for his or her well-being. But life goes on, and usually after a time the officer is increasingly isolated except for the family. A likely result is deep depression, sometimes suicide.

It doesn't have to be that way. In New York City, officers who have suffered serious traumas on the job have banded together in the Police Self-Support Group. The aim is to provide moral and emotional support and restore the officer's sense of self-worth.

The PSSG was founded in 1983 by Richard Pastorella, who knows better than most how a life can be shattered and put back together again. On New Year's Eve 1982, he was a detective assigned to the New York City Police bomb squad. He and another detective were at the Federal Courthouse in Manhattan, examining one of a series

of bombs planted by the FALN, a Puerto Rican terrorist group, when the bomb exploded. Pastorella was blinded and lost most of his right hand and 70 percent of his hearing.

"It's a tragedy initially, but the trick is to take a tragedy and turn it into something worthwhile so you can now help not only yourself but somebody else," he says. "That's the healing process. The psychological dynamic is that I still have value because obviously I'm helping someone else who is less fortunate than me. So how bad off can I be?"

That upbeat philosophy permeates the Police Self-Support Group. When an officer comes to one of the group's monthly meetings for the first time, he is required to identify himself and describe how he was injured. The technique is similar to one used by Alcoholics Anonymous, although the PSSG was not modeled on AA. "We do it because there's a psychological principle involved," Pastorella said. "The people at the meeting have immediate empathy with him because everyone's been wounded. So while he's identifying himself and telling what happened, the others are all thinking about when they were injured. A common brotherhood or bonding happens at that moment. What also happens is that in wanting to help him, they're helping themselves."

Several of the group's 60 members are in wheelchairs; others, like Pastorella, are blind. Most have been wounded by gunshots. Some have returned to active duty in the NYPD, the Transit or Housing Police, or in the Parole Division. "We have 10 people who have returned to full duty," Pastorella observed.



Blinded and maimed in a terrorist bomb blast, Det. Richard Pastorella (2nd l.) receives the New York City Police Department's Medal of Honor in a 1983 ceremony, along with fellow bomb squad officers Frank DeCicco (l.) and Anthony Senft (2nd r.), as Sgt. Charles Wells salutes. Pastorella went on to found the Police Self-Support Group.

support from it other than the use of a meeting place in Queens. "We like it that way because it gives us total autonomy," Pastorella said. At the moment, the PSSG operates on a shoestring budget of less than \$10,000 a year, earned chiefly from a dinner-dance each spring. A foundation is being established to solicit funds for the group.

In the long run, the PSSG hopes to go national, setting up chapters in other states, but thus far no Federal funding has been available to make that possible. Currently the group's major project is a plan to have selected members take a one-year course (with six undergraduate credits) in peer counseling at John Jay College of Criminal Justice. "All the people in our organization will be psychologically tested to see what baggage they're carrying due to their incident," Pastorella said. "Those who are carrying the least baggage or who have progressed the most will get involved in the peer counseling program. This is unique and significant because

we're the only organization doing this in the country."

Pastorella himself expects to receive a master's degree in psychology from John Jay College in May. The degree may be redundant. He's already a master in the psychology of healing the traumatized hearts and minds of wounded police officers.

(Ordway P. Burden is president of the Law Enforcement Assistance Foundation and chairman of the National Law Enforcement Council. He welcomes correspondence to his office at 24 Wyndham Court, Nanuet, NY 10954-3845. Seymour F. Malkin, the executive director of LEAF, assisted in the preparation of this article. This marks the 300th column bearing Mr. Burden's byline to appear in Law Enforcement News. We at LEN extend our gratitude to him for past contributions and our sincere wish for many more columns and many more years of close, collegial ties.)

1990 ends in a riot as Miami cops are acquitted

Tried for fatally beating drug dealer

The acquittals of six members of the Miami Police Department's elite drug squad who were charged in connection with the December 1988 death of a drug dealer sparked a night of looting and violence on Dec. 3 in the predominantly Puerto Rican neighborhood where the incident occurred.

Scores of black and Hispanic youths, many with their heads covered with scarves and paper bags, rampaged through a neighborhood just north of Miami's business district, setting fires, throwing rocks at cars and looting stores. Police in riot gear and armed with tear gas guns and shotguns arrived about 8:40 P.M. They cordoned off a 10-block area and reported the situation under control by 11:15 P.M.

Unlike other incidents of civil unrest — at least three have occurred in the past decade in the racially tense city in response to police-involved deaths of minority residents — there were no reports of injuries, arrests or shots fired.

The disturbance began just hours after a jury in Federal District Court acquitted six members of the Street Narcotics Squad, also known as the "Jump-Out Squad," of Federal civil rights violations stemming from the death of Leonardo Mercado, 35, who was fatally beaten in his apartment. The jury deadlocked on murder charges against the officers, who had been accused of pummeling and stomping Mercado, a small-time drug dealer with a long history of arrests. They were also

accused of beating him over the head with a nightstick or flashlight and physically assaulting Mercado's two teenage stepsons. Prosecutors charged that the defendants had lied to investigators about the incident.

The defendants — Officers Pablo Camacho, 42; Charlie Haynes, 31; Ronald Sinclair, 47; Thomas Trujillo, 33; Nathaniel Veal Jr., 32, and Andy Watson, 33 — faced murder and conspiracy charges in the case, which was brought under Federal civil rights laws. They were cleared of the conspiracy charge and one of two assault charges involving the stepsons, and all but one were acquitted on the other count of assault. Jurors deadlocked on the assault count against Veal, and on murder charges against all six defendants.

Federal prosecutors have until Jan. 17 to decide whether to refile the charges. Police Chief Perry Anderson said the six officers would be permitted to return to their jobs.

After news of the acquittals reached the neighborhood where Mercado had lived, rioting youths set at least two buildings on fire and ignited garbage bins. Several cars were overturned and youths hurled stones and bottles at police patrol cars. Several businesses were also destroyed during the rampage.

City Manager Cesar Odio said officials did not expect the acquittals to touch off violence, but said that "no mistakes were made" by police called in to quell the disturbance.

'Highway' beats out 'his way' as Syracuse chief is ousted

Syracuse, N.Y. Mayor Thomas Young fired Police Chief Leigh Hunt on Dec. 10 in an apparent dispute over the Chief's management style, and named First Deputy Chief Timothy Cowin as Hunt's replacement.

Tim Carroll, a spokesman for the Mayor, said that Young fired Hunt, whom he had appointed Police Chief of the 453-officer force in June 1986, after the Chief failed to settle divisive disputes among his deputy chiefs.

Carroll said the dismissal came after Young announced his intention to fire Deputy Chief Frank Sardino, whom Hunt had accused of improperly handling an "internal matter" involving Sardino's access to internal affairs records.

"The Mayor disagreed with Chief Hunt over the Deputy Chief's firing and essentially, Chief Hunt seemed to be saying it was going to be his way or the highway, so the Mayor terminated the Chief," Carroll told LEN.

Carroll said that after Young was reelected last year, he had instructed Hunt to "heal the division in the upper levels of the Police Department," and Hunt apparently failed to do. "This was a dispute that could not be resolved so the Mayor did what he felt he had to do," Carroll added.

The dispute between Sardino, a nephew of former Police Chief Thomas Sardino, and Hunt was sparked when a Syracuse resident made allegations of racism against an unnamed officer under Sardino's command, said Carroll. "In the process of investigating the complaint, Chief Sardino requested some internal affairs documents — which is a routine practice in the Syracuse Police Department. But for whatever reason, Chief Hunt sought Chief Sardino's dismissal over this matter, and the Mayor disagreed."

Carroll emphasized that the incident was not the "sole reason" behind Hunt's dismissal. "For a year, [the

Mayor] had asked the Chief to rectify some divisions at the top levels of his department and that had not taken place. The Sardino incident was characterized as the last straw — it just made it very clear to the Mayor that the situation had not been resolved. It was just one in a series of difficulties."

Cowin, the new Chief, came to Syracuse from the New York State Police, as had Hunt.

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Curfews grow in appeal and controversy

Continued from Page 1

invites selective enforcement and racial bias.

"Ordinarily, probable cause would be the standard for stopping someone," she told LEN. "And this means probable cause is being out and looking young.... There's certainly been a lot of talk about [racial bias] and how it could be selectively applied. It could be used more in poorer neighborhoods and less in wealthier ones."

Supporters of the Atlanta curfew have discounted those concerns, noting that many of the city's officials, including Johnson, the measure's sponsor, Mayor Jackson and Police Chief Eldrin Bell, are black. "You have a generation of black political leaders who are willing to say we have to have controls in the black community and a black middle class that is very concerned about the plight of young black males," noted Gary Alan Fine, a sociologist at the University of Georgia. And Lee noted that the curfew came about from "a community outcry."

"There are a lot of parents that, unfortunately, have kids they feel they don't have a handle on and they're just glad to have that," she said. "The police are not in the business of being children-watchers, but we've got a community that says, 'We're having problems. We need to get a handle on our kids.'"

A 10 P.M. curfew has been on the books in Mesa, Ariz., for more than 30 years, but city officials will vote next month to ease the curfew and allow youths over age 15 to stay out until midnight from Sunday to Thursday, and until 1 A.M. on weekends. Mayor Peggy Rubach said the change was proposed to make Mesa's curfew laws more congruent with those of nearby communities. "The loosening of the time actually puts a greater burden on the parents to be responsible about

holding their children accountable, that it's not the responsibility of law enforcement officers to get their kids off the street," Rubach said in an interview with LEN. "I think we need to be attuned with reality. Curfews serve a purpose, but they should be reasonable."

Critics of curfews say there is no proof that they work and that enforcing

bullet fired by a classmate involved in a dispute with another student on Nov. 11, triggered public discussion about curfews in that city. Mayor Richard Arrington decided against imposing a curfew after police statistics showed that many youth-involved crimes don't occur at times when a curfew would be in effect, said mayoral spokesman Lewis White, but Arrington has asked the City

"The bottom line is: Would it accomplish what we wanted it to without being selective?" he said.

Instead, Birmingham officials have opted to infuse \$1.3 million into several existing programs that provide jobs and recreation for young people. The money will allow community centers to stay open on Saturdays; shore up a program known as Partners in Neighborhood

was that there were a lot of logistical and civil rights concerns that outweighed in a negative way what we felt we could accomplish in light of the other activities we were doing. Now six months have passed and we still have a number of problems in the streets late at night," he said.

Landmark said that Boston officials are seeking ways to address the constitutional issues sure to be raised if a curfew be imposed — but be questioned whether those arguments have any merit in view of heightened violence in the city's neighborhoods. "I have yet to hear an argument why it is that a person under 17 should be on the streets after 11 o'clock at night, when there's danger on those streets," he said. "Some civil libertarians have raised the possibility of infringing on the rights of travel and mobility. But we think we have an appropriate response to that in light of the level of violence we're dealing with."

While Landmark conceded that curfews are enforced unequally and probably more so in lower-income, minority neighborhoods, he noted that "criminal activity is also correlated with those lower-income neighborhoods."

"What we're trying to do is not to penalize the neighborhood, but to reduce the incidence of violence in those neighborhoods," he said.

Boston will not impose a curfew without the support of the city's residents and will do so only to complement other efforts to reduce violence. "Most of the adults we've spoken to support it as part of a larger package of approaches dealing with violence," Landmark said. "We have to tie it to aggressive work to reduce the number of guns on the street and we have to continue to provide positive programs that provide both recreation and jobs and educational programs. No one sees it as a panacea."

"I have yet to hear an argument why it is that a person under 17 should be on the streets after 11 o'clock at night, when there's danger on those streets."

— Ted Landmark, Boston 'Safe Neighborhoods' program

them keeps police from dealing with more serious crime problems. "I'm not sure that there's any evidence to show that this helps," said Spears. "We've heard that some law enforcement officers have a problem with them because they keep them from more serious business."

Arthur Spitzer, legal director of the National Capitol Area American Civil Liberties Union, which fielded a successful legal challenge to a proposed curfew in Washington, also questioned the effectiveness of curfews in controlling youth crime. "People who are out at night buying and selling drugs, carrying guns and engaging in other dangerous conduct are already breaking much more serious laws than a curfew law. We think it's ludicrous to think that someone who's out committing felonies is going to look at his wristwatch and say, 'Oops, it's 11 o'clock, I'd better go home.'" Spitzer added that such measures penalize law-abiding citizens who are more likely to obey curfews.

The death of an 11-year-old Birmingham honors student, hit by an errant

Council to grant him the authority to impose a curfew if it is later deemed necessary.

White said several factors weighed on Arrington's decision not to impose a curfew at this time. "What do we do with the youngsters we catch? Our juvenile justice system is overloaded as it stands. And [a curfew] would require additional officers that we didn't think would be approved. The Police Department's statistics show that juvenile crimes take place at a time that would not be covered by the curfew. For example, the last killing we had of a youngster by a youngster was at school. A curfew wouldn't have done that any good," White said.

"We did not recommend a curfew at this particular time, but we're leaving that as an open option," said Deputy Police Chief Charles Newfield. "This is really a decision that the Mayor's office would have to make. There's so many questions about curfews, and there would be so many challenges."

Newfield added that the strain on police manpower from enforcing a curfew was also a factor in the decision.

Growth (PING), which provides jobs and recreation to youths; and provide more funding for the city's Community-Intensive Treatment Program, a state-run alternative education effort that aims to salvage problem students.

The city will also hire 16 more police officers, including supervisors for a 10-member narcotics squad to target street-level narcotics sales; assign a juvenile officer to each of the city's four police districts; and purchase more police cars, said White.

Boston officials say they may implement a curfew, an idea that has been discussed for the last several months in view of a continued rise in violent crime committed by juveniles. Ted Landmark, the director of the city's Safe Neighborhoods program, which is aimed at implementing measures to reduce violence in Boston, told LEN that the city is "giving it more serious consideration than last spring" when the idea first surfaced.

"We put it on the back burner at that point because there were a number of other law enforcement approaches we were taking. The feeling at that point

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'Violated their sacred oath':

LA deputies guilty of robbing dealers

Seven former members of an elite unit of the Los Angeles County Sheriff's Department were convicted Dec. 10 on charges that they routinely stole money totaling \$1.4 million from drug dealers and money launderers, in a scandal that Sheriff Sherman Block called the biggest to surface in the department since he became sheriff eight years ago.

After an eight-week-long jury trial before U.S. District Judge Edward Rafeedie, a jury convicted Terrell Amers, James Bauder, Eufasio Cortez, Ronald Daub, John Dickenson, Macario Duran and Daniel Garner on 25 counts, including conspiracy to commit thefts, filing false tax returns, money-laundering, interstate travel in furtherance of racketeering, and structuring currency transactions to evade reporting requirements. All of the defendants, except Duran, were members of the "Majors 2," a Sheriff's Department unit that investigated narcotics trafficking and money laundering. Duran was a member of another Sheriff's Department narcotics unit known as "Majors 3." [See LEN, Oct. 31, 1989.] The units were among the Sheriff's Department's four major narcotics units, all of which were disbanded after the scandal was revealed.

The defendants face prison sentences ranging from 5 to 53 years. Sentencing is scheduled to take place between Jan. 24 and Feb. 5, said Carole Levitsky, a spokeswoman for U.S. Attorney Lourdes G. Baird.

"The verdicts handed down today are not an occasion to celebrate. They are not a victory. They are just the conclusion to the unlawful actions of a few who sought to hide their crimes behind a badge of honor," said Block in a statement released after the verdicts were announced. "The verdicts handed down today confirm that these individuals violated their sacred oath and trust to their fellow citizens. They must now pay the price for the violation of that trust."

The former deputies had been accused of 54 counts, but the jury, which deliberated for six days, deadlocked on a number of counts that involved individual theft charges. Rafeedie declared a mistrial on the unresolved counts,

which prosecutors may seek to retry.

Prosecutors presented evidence that included a videotape of deputies pocketing bundles of cash from a bag left in a hotel room by a Federal agent posing as a drug dealer as part of an August 1989 sting operation. They also introduced evidence of large cash and money-order transactions that included purchases of vacation homes, speedboats, cars, stocks and in one case, part ownership of a racehorse.

Former Sgt. Robert Sobel, who led the narcotics unit, entered into a plea bargain in exchange for testimony about additional thefts and abuse of suspects by the defendants. Sobel testified that it was common practice for members of the narcotics squads to steal drug money, and also testified that deputies routinely falsified police reports, committed perjury in court proceedings, beat drug suspects and planted drugs on them. On one occasion, Sobel testified, he and fellow officers beat a suspected drug dealer, took a spiny fish from a fish tank and dropped it down the man's back before throwing the suspect from a second-story rooftop in an effort to make him talk.

Four deputies offered varying explanations about the origin of the large amounts of cash investigators found in their homes. The cash came from babysitting jobs, savings, a hidden inheritance and a spouse's hairdressing business, they said.

The investigation was begun by the Sheriff's Department in October 1988, when internal audits of seized drug money showed discrepancies. The FBI, the Internal Revenue Service and the U.S. Attorney's office later joined the investigation.

The Dec. 10 convictions do not bring the scandal to a close. An investigation is continuing into the activities of a separate group of seven deputies and a sergeant who were relieved of duty in April, as well as another group of eight deputies and one sergeant relieved of duty in October 1989 in connection with thefts of seized monies. Three other deputies face trial after being named in indictments on similar charges, and five officers of the Los Angeles Police Department are also under investigation.

Confessions of a three-term District Attorney

By Stephen Goldsmith

I am completing my third term as District Attorney — 12 years' worth. During that time, two sheriffs, more than a dozen police chiefs, and more FBI agents-in-charge and other Federal police officials than I can recount have joined me in the battle against crime and brought me more than 500,000 cases to prosecute.

**Making
The Case:
An Insider's
Look at
Police/
Prosecutor
Relations.
Eighth in
a series.**

In fact, my first election resulted in an upset because my campaign slogan — to "Ask A Policeman Why" people should vote for me — underscored our partnership, which rightfully impressed the public. Now, 12 years later, my relationship with the police is both better and worse. The reasons might be instructive.

Management: Large police agencies today are better and more professionally managed. The attitude of professionalism allows for better relations with those district attorneys who put fighting crime above politics. Chiefs are more open to exploring new projects and new approaches. However, this movement creates problems as well.

Metropolitan police agencies have research and planning units; prosecutors do not. Metropolitan police chiefs tend to be more involved with research and experimentation than are prosecutors. And finally, chiefs tend to be law enforcement professionals, longer tenured in the profession and necessarily viewing the district attorney as a politician whose motives are suspect.

Communication: When first elected, I spent substantial time with the street officer at his roll-call site and in his car. Over time, I improved the structure of my communication, using other lawyers, committees, written newsletters, electronic mail, and other systems. These all worked, but they separated me from the street officers who are a source of wonderful new ideas for those who will listen. Additionally, I found that making controversial decisions and relying on the police chain of command to convey the information (or worse yet, the rationale) proved to be a very bad idea.

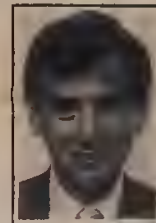
Mission: Police and prosecutors do not have exactly similar missions. The failure to recognize the difference causes criminal justice leaders to paper over the differences by attempting to reduce case attrition, or improve filing rates. Yet it would have been much better to under-

"Street officers are a source of wonderful new ideas for those who will listen."

stand and acknowledge that crime control strategies may easily include arrests that do not result in conviction. The failure to reach for a higher combined mission and community safety prevented a better dialogue.

The police can be no more effective than the prosecutor, and vice versa. Constantly, policymakers must explore ways to renew the dialogue at all levels of the endeavor, recognizing the natural existence of friction and moving forward from there. Aggressive D.A.'s will always be upset by officers that are not properly motivated, and aggressive officers will always be irritated by the lazier assistant D.A.'s who, too quickly and without communication, bargain the case.

The inevitable problems between people can be aggravated or ameliorated by the chosen approaches of the chief and D.A. Obviously, mutual selection of an approach that moves toward recognition and acknowledgement of normal differences, reconciliation of those differences, and achieving quality law enforcement as a result of the process, is the approach of choice.



(Stephen Goldsmith is the Prosecuting Attorney of Marion County [Indianapolis], Ind. He is a research fellow at Harvard University's Kennedy School of Government, and serves on the boards of the American Prosecutors Research Institute and the National District Attorneys Association.)

High Court declines to touch issue of Miranda rights for officer in his own patrol car

Continued from Page 1

nally negligent homicide after a shooting while he was on duty. The charges came partly from statements he made to authorities who came to his aid.

A trial court threw out the charges against him after Probasco argued that he should have been told of his legal right to remain silent before being asked to explain the circumstances surrounding the death of Daniel E. Smith on July 15, 1989. Probasco contended that police would have been required to advise him of his right to remain silent had he been a civilian.

But a divided Colorado Supreme Court allowed Probasco's statements to be admitted as evidence, ruling that even though the statements were made inside a police car, Probasco was not legally in custody. "The fact that Probasco was a police officer makes this situation unique," the court ruled.

Fellow deputies and officers of the Fort Morgan Police Department who responded to Probasco's call for assistance found him kneeling over the body of Smith, who had been shot and later

died. Probasco, described by an officer in charge of the investigation as "overwhelmed" by the situation, twice refused to discuss what had happened. He was taken to his patrol car, where other officers later joined him. One asked him how his baton and radio wound up on the porch of a nearby home.

Probasco then told police he stopped Smith on a traffic violation, but that Smith shoved him and fled on foot. Probasco found Smith hiding in some shrubs and drew his service weapon, warning Smith not to move. He said Smith then rose and "struck the end of his weapon and the weapon went off."

The Colorado Supreme Court upheld the state's argument that Probasco was not technically in "custody" at the time of his statements. In *Miranda v. Arizona*, the Supreme Court ruled that police were required to inform a suspect in custody of his right to remain silent before questioning and his right to request the advice of a lawyer before any questioning by police.

The trial court stated that a reasonable person sitting in a police car and

surrounded by three other officers would feel that his freedom is curtailed," wrote the Colorado Supreme Court. "[But] in this case, the defendant was asked to sit in his police car, which is not a 'coercive environment.' A reasonable police officer, under these circumstances, would believe that he was simply following the orders of a superior in his place of employment."

Two dissenting Colorado Supreme Court judges wrote that Probasco's status as a law enforcement official did not strip him of the same legal protections afforded to civilians. "The trial court's ruling in this case is totally consistent with the principle that in highly stressful situations, such as a custodial interrogation, a suspect's abstract knowledge of his rights well might be less important than his ability to cope with the pressures of the situation," the dissenting opinion said.

Probasco's lawyer asked the U.S. Supreme Court to hear the case because "the issue of what constitutes 'custody' when the suspect is a peace officer has not been decided by this court."

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Sills:

Bedeviling questions about workshops

By Donald N. Sills

In the estimation of a veteran criminal justice analyst, a lurid sex scandal involving Michael G. Rokos, an official of the Cult Awareness Network (CAN), will have police officers scratching their heads about the value of Rokos's law enforcement workshops on satanism.

Rokos, a self-proclaimed satanism expert, has given numerous satanism workshops to law enforcement personnel and has been quoted frequently by the press on the subject. He has been a national board member of CAN for a number of years and in 1989 became the group's president.

This past summer, Rokos's troubles began. He resigned abruptly from his position as a chaplain with the Maryland State Police following the discovery that he had been sentenced in 1982 for soliciting perverted sex from a young undercover policeman posing as a teenager. He subsequently resigned his position as CAN's president in October of this year.

Rokos's criminal record is certainly cause for concern, and, in the view of the crime analyst, Robert Hicks of the Virginia Department of Criminal Justice Services, will be reason enough for some officers to doubt information on satanism they received from the CAN official. Yet, Hicks notes, "There are much better reasons to question what he is saying."

"No Better than Shysters"

Many informed observers feel, in fact, that Rokos and CAN exemplify all that is bad about satanism workshops. They argue that the information Rokos gives out on satanism is actually a liability — not an aid — to law enforcement organizations.

"I attended one of Rokos's workshops in October of '89," Hicks recalled. "It was in two parts. I attended the first part, but didn't have the stomach to attend part two. What I walked away with is that the guy [Rokos] is no better or worse than some of the other shysters on the cult circuit."

Dr. Anson Shupe, a professor of sociology at Indiana-Purdue University in Fort Wayne, Ind., feels that CAN presents a particular danger. "It's a group which has a lot of professionals who have access to other professionals. These people are being given a lot of incorrect information," he says.

Shupe feels that most of the information given out during the workshops is simply "Christian fantasies of what people think satanism would be like, and are seized upon by people who basically want to pin all juvenile misbehavior on satanism."

CAN, by its own estimates, has given hundreds of satanism workshops to law enforcement personnel around the country. Yet the problems with such workshops are by no means unique to CAN.

Hicks began researching the satanism issue in 1987 when it first started attracting law enforcement attention. "Because of my work," Hicks explained, "I consider it important to keep up with law enforcement trends. In 1988 when I went to

lem with these satanism workshops is they are spreading a lot of false information," says Dr. J. Gordon Melton, Director of the Institute for the Study of American Religion. "They are also consuming a lot of public money because a lot of these workshops are given as continuing education to police and other state employees. Police believe this stuff."

Taking Police Away from Real Problems

This bad information, Melton asserts, "takes law enforcement professionals away from real problems, trying to find the specters of satanism when they should be handling more serious problems of drugs and crime."

"Given the notorious promotion of unreliable data during satanism workshops, why do these workshops remain so popular? Two big reasons are money and ego."

my first seminar, I heard information I knew was simply wrong. I went to a few more and discovered they were all the same. I was alarmed at the message.

"I'm maintaining we actually have no evidence in law enforcement that this [satanism] is a widespread problem," Hicks continued. "Grave and church desecrations are two of the crimes often cited by these lecturers as 'satanic' crimes. My agency is on top of the best criminal justice statistics in the state, and during a two-year period, there was a total of five sentencing for grave and church desecrations."

Hicks notes that in a state the size of Virginia, there are approximately 20,000 felony sentencing a year. Misdemeanor sentencing are even higher. This means that the five sentencing Hicks discovered represent, at best, only one-hundredth of a percent (.01%) of the Virginia sentencing for two years. These are hardly viable numbers on which to base a national emergency.

Many professionals, who have spent considerable time investigating the issue, share Hicks's concerns about the reliability of the information given at satanism workshops. "The major prob-

lem with these satanism workshops is they are spreading a lot of false information," says Dr. J. Gordon Melton, Director of the Institute for the Study of American Religion. "They are also consuming a lot of public money because a lot of these workshops are given as continuing education to police and other state employees. Police believe this stuff."

Another serious problem is that satanism workshop lecturers are notorious for claiming that certain churches and religious organizations, which have nothing at all to do with satanism, are satanic. Typically, unconventional churches are the ones most frequently singled out, although even the Roman Catholic Church has not escaped such faulty labeling.

Dr. Jeffrey S. Victor, a sociologist with Jamestown Community College in New York, has investigated several panics caused by unverified rumors of satanic activity. He fears that police, acting on bad information, will begin to target innocent groups for investigations and arrests.

"The danger," he points out, "is that police might be deflected from doing a professional job, from finding out what the facts are in the crime being investigated. There are also dangers to civil liberties... where police may start to believe people are guilty of criminal behavior just because of their unconventional religious beliefs."

Rush to Judgment

Kenneth Lanning, Director of the FBI's Behavioral Science Unit in Quantico, Va., warns that police can create more problems than exist by getting caught up in the unsupported claims of anti-satanists. In a lengthy article that appeared in the October 1989 issue of *The Police Chief*, he noted: "An unjustified crusade against those perceived as satanists could result in wasted resources, unwarranted damage to reputations, and disruption to civil liberties."

Lanning cautioned that "as law enforcement agencies evaluate and decide what they can or should do about satanic and occult activity in their communities, they might want to also consider how to deal with the hype and hysteria of the 'anti-satanists.'"

The March 29, 1990, issue of the *Albuquerque Journal* carried an alarming front-page story about a "mysterious pattern, larger than a football field," that had been discovered outside of town. The pattern, formed with old car tires, was in the shape of a large hexagon.

The paper quoted police and other experts who stated that the pattern was definitely the site of a cult ritual. The environmental scientist who discovered the pattern maintained that sophisticated instruments must have been used to lay out the tired with such precision.

The next day's paper, however, left all the experts red-faced when it was revealed that the pattern was actually a playing field for a new, soccer-like game called "terf ball." Ironically, the first three teams to play on the field were from the Police Department, the Mayor's office, and the Fire Department. When asked what instruments were used to form the pattern so precisely, one

terf-ball player recalled, "The only instruments we used were a keg of beer and a cookbook."

Numerous examinations of satanic panics show that public officials and the media have generated community-wide hysteria by making unsubstantiated and inflammatory public statements. Sometimes these statements have proved merely embarrassing, as in the terj-ball incident. More often than not, however, communities have been seriously harmed, and in some cases there has been significant property damage.

Physicist Shawn Carlson, who wrote "Satanism in America," a book on the national satanism scare, says a small black church in Texas was burned to the ground earlier this year, when a rumor was circulated that it was connected to the Matamoros drug cult.

In Allentown, N.H., police publicly confirmed that several cats, a dog and some beavers had been ritually slaughtered as part of some evil satanic ritual. Plans were made to locate the satanic group behind these terrible acts to keep them under surveillance. As it turned out, however, all of the dead animals had been killed by vehicles and stacked in the woods for later pickup by road crews, or had been legally trapped and killed by hunters.

In Jamestown, N.Y., on Friday, the 13th of May in 1988, a warehouse rumored to be a cult site suffered thousands of dollars worth of damage. Many parents, terrified by the rumors, kept their children home from school. Yet no evidence was ever found of any satanic activity — only rumors.

In yet another incident, in Cobleskill, N.Y., police literally jumped the gun after rumors circulated of a planned human sacrifice in nearby woods. With drawn revolvers, they raided the alleged ritual site, only to find some costumed college students practicing for a medieval play.

Money and Ego

Given the notorious promotion of unreliable data during satanism workshops, the question must be asked, "Why do these workshops remain so popular?"

Two big reasons are money and ego.

Dr. David Bromley of Virginia Commonwealth University has come to the conclusion that "there are numerous groups running satanism workshops in police agencies mainly because they are financially viable." One possible solution to take the money motivation out of this issue is for organizations to sponsor seminars where only expenses are paid and the "experts" are given only a plaque and a "thank you," but no fee.

Until this happens, however, Dr. Victor sees only bad things to come. "This problem is going to get worse because there are a lot of people benefiting from the satanism scare," he says. "People are getting paid thousands and thousands of dollars for these workshops."

In addition, the police and other experts who give these lectures get a great deal of ego boosting from the resulting media and public attention. Said Hicks: "After I wrote one article attacking these satanism workshops, I started getting calls from reporters wanting to do interviews. This can be quite a distraction, and for some intoxicating."

The fundamental driving force behind these workshops, however, is an extremist, close-minded attitude about religion. As the physicist and author

Continued on Page 10

Letters

You may fire when ready. . .

To the editor:

Your cooperation in sending me a copy of *Law Enforcement News* for Oct. 31, 1990 is appreciated. Your article was well written and thoughtfully prepared.

It was certainly not our intention to mislead anyone as to labeling. All our units with the exception of the six-ounce canisters are labeled just as the ones in your prior photographs and were not merely restricted to the civilian versions. As a matter of fact, the ones you had pictured are the M-4 II and M-3 II five-percent formula that are strictly reserved for law enforcement use only.

The New York City instructor, ESU Sgt. David Schultheis, was reported to have been instructed in the use of Cap-Stun only shortly prior to the reported incident. If he claims to not know the product is flammable, he must have either missed the training entirely or have been not paying attention to the instructor.

In an article in the November/December issue of *Police & Security News*, William E. Burroughs, Training Coordinator for the Smith & Wesson Academy in Springfield, Mass., reports on flammability testing. The tests he ran showed no hazard from lighted cigarettes. No hazard was indicated when samples were emptied in a small

room and an explosive device was ignited in the room with it. The only way the original fire was duplicated was with a full stream flowing and the Taser fired directly into the stream.

Field testing by every reporting department and agency shows that there is minimal fire hazard when Cap-Stun is properly used. Continued demonstrations by the New York City Police Department only confirm the original contention that the fire resulted from the abuse of Cap-Stun and efforts are continuing to stonewall the issue.

GARDNER L. WHITCOMB
President
Lucky Police Products
Oakland Park, Fla.

Crystal-ball gazing

To the editor:

With reference to the enclosed ("How New York Will Spend \$1.8 Billion on 'Safe City,'" *LEN*, Nov. 15, 1990), I suggest a follow-up story be done four years from now. My predictions:

1 The money will not have been spent.
2 Even if the money has been spent, the crime problem will have worsened.

ROLAND T. JESKE
Crystal Lake, Ill.



(Donald Sills is a Baptist minister and former special investigator for the State of California. He is currently working on a book on religious intolerance and the need for communication among different denominations.)

Criminal Justice Library

Policing and human nature:

The complexities of modern police ethics

Character and Cops: Ethics in Policing.

By Edwin J. Delattre.

Washington, D.C.: American Enterprise Institute for Public Policy Research, 1989, 246 pp.

By George T. Felkenes

"If men were angels, no government would be necessary."

— James Madison, in "Federalist #51."

The founding of America was an exercise in designing a government of ordered liberty, where the liberty of individual man was paramount, but where government by corporate man was preeminent. It was an answer, based on a conception of human nature, to the time-worn problem of dividing autonomy between government and men in such a way that individual men had sufficient liberties, without unguarded license to effluetuate their multitudinous lusts. The words of James Madison in this regard are instructive and legendary. In "Federalist #51" he said:

"In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government. . . ."

Professor Edwin J. Delattre understood the significance of Madison's conception of the nature of man and society, and if there is not total agreement between the two on the original nature of man, at least there exists large common ground between them.

In "Character and Cops: Ethics in Policing," Delattre illuminates the constitutional role of policing in American society, and underlines the indis-

pensability of virtue and morality in the lives of those who wear the badge. "Character and Cops" is a serious expose, applying the morality of the classic philosophers to the struggles for peace within American society of the late 20th century. While one finds high respect for true "law and order" in Delattre's work, it is perhaps the spirit of "order and liberty" which emanates most clearly from the book, and which characterizes the book's true concerns. As neither a diatribe against the legitimate use of police force nor an unreasoned defense of the too-well-known abuse of force, "Character and Cops" is an exhaustive work on morality in policing, one which addresses the nature of man; the nature of the relationship of man with other men in society; the challenge of constructing a government to provide for ordered and managed liberty, and the responsibility of all law enforcement personnel to uphold the law through personal example.

With respect to the nature of man, Delattre makes several assertions. Like the classical political philosophers, especially Plato and Aristotle, Delattre seemingly believes man is born ignorant of right and wrong, or at least is morally neutral and capable of being trained to do right. Society, family and laws have the duty to train individuals to live life in society with right reason. Thus, one is either a good citizen through moral instruction, or a bad citizen through lack of training and habituation to the good. As a consequence, Delattre reasons that good governments depend on the virtue of a republic's citizens and government officials.

Fundamental to Delattre's conception of human nature is the inherent principle of man's free will. Allowing even for a bad environment, poor habits, and negative peer pressure, an individual nonetheless has free will in choosing whether to act honorably or

dishonorably. In screening applicants for a law enforcement position, it is he who by his will and through positive habituation displays excellent character that one should employ as a peace officer.

Another salient point in the discussion of human nature pertains to habits. Habits, according to Delattre, are acquired through observation, imitation and habituation, and through one's reason. Habituation should start early in life. Delattre approvingly quotes Cicero as saying, "Laws without habits are vain."

The product of Delattre's conceptualization of man is that there are four types of men (in this case police officers) in relation to the disposition they acquire regarding the habituation of virtue in their lives. The first is he who has "bad character." Such an individual "will seek opportunities to profit by victimizing others." An officer who is "uncontrolled" in some aspects of his character may behave like the person of bad character, if his passion for gain overrides his regard for the law. A person who is weak willed and vulnerable to childish temptations may be teachable but does not belong in a position of public trust. On the other hand, the individual who is "self-controlled" will obey the law, and perhaps even support its promulgation, but may well resent its higher standard of conduct. The last type of citizen is he who has "excellent character," the individual who has acquired "habits" of trustworthiness that make him worthy of public service generally and of the police badge in particular. The peace officer of excellent character not only will support the promulgation of the law but will act according to admiration for the high standard of conduct required by the law.

On the equality of all men, Delattre says that "order with liberty cannot

succeed if the government or the governed indulge themselves as they wish." Equality requires equal applicability of the laws.

With respect to the ends-means dilemma, one must understand that in applying the law, and in deciding whether there are times when higher morality necessitates breaking the law, only very rarely should a police officer make a decision reasoning that the end justifies the means. Revising rules and regulations does not eliminate the possibility of tragedy. While the instant tragedy may be averted, another potential tragedy may be lurking. Furthermore, the totality of the Constitution, especially the Fifth and Eighth Amendments, elevates the humanity of the individual, and necessitates certain basic respect for all men.

Beyond the equality of man, and the discussion of the ends-means dilemma, Delattre also correctly focuses on the presumption of innocence that is central to our system of government. "Expediency," he writes, "favors punishing the innocent to ensure that the guilty not go free. . . . But punishing the innocent does not ensure that the guilty will also fall into the net. The presumption of guilt is therefore not only unjust but also impractical." The ramifications this principle has on the activities of a peace officer are many and obvious.

From the nature of man, and the nature of man in a society of other men, Delattre proceeds to provide the reader with a carefully laid out, rational system of ethics for the law enforcement officer in carrying out his official duties — a system of ethics dependent upon the idea that it is more harmful for one to inflict harms than to suffer them from another. "No question of conviction in public life is more fundamental than this one," Delattre notes. Important time-honored and contemporary ques-

tions about officers' actions within society, as well as public policies which affect the internal functioning of the police organization, then, are asked and systematically answered throughout the remainder of the book.

Taken as a whole, the book exhaustively treats the discipline of law enforcement from the aforementioned nature of man, and what that elicits in the way of expectations of law enforcement personnel actions. It is a holistic examination of police actions, beginning with the underlying character of the cops, including the internal motivations of man, to the manifestation of those intentions through observable actions.

In short, Delattre's work is an examination of keeping the peace in a republican form of government from the perspective of classical philosophy, wherein law is defined, with variations, as the coexistence of natural and positive law. Were one to consider the dictates of classical natural law, generally, combined with American positive law, the system of policing to emerge would look very much like that proposed by Delattre.

Consequently, "Character and Cops" is a valuable resource both for the officer seeking answers to difficult questions he may have about his own behavior, and for the observer who may need a point of reference in deciphering good from evil police actions for whatever the reason. It is a conscientious rendering of systematic applied ethics in law enforcement, with wide applicability and concern for the officer, the criminal, and society as a whole. Delattre's work should be consulted widely for the legal and ethical policing complexities of today's age.

(George T. Felkenes is professor of criminal justice with the Claremont Graduate School, in Claremont, Calif.)

Data, not supposition:

Conventional wisdom and police pursuits

Police Pursuit Driving: Controlling Responses to Emergency Situations.

By Geoffrey P. Alpert and Roger G. Dunham.
Westport, Conn.: Greenwood Press, 1990.
\$37.95.

By Kenneth Bovasso

Conventional wisdom dictates that there is a high degree of danger associated with police pursuits. Much of this conventional wisdom is based on two studies which show that 70 percent of pursuits result in accidents, and that a significant number, 20 percent, cause deaths.

While not issuing any type of endorsement of uncontrolled police pursuits, Alpert and Dunham do find fault with some of the earlier data that the conventional wisdom is based on.

The authors point to two studies that they feel have gone further than the earlier analyses. One is the California Highway Patrol study (1983) and the

other is a study that the authors did of 952 police pursuits over a three-year period in Dade County, Fla. Both studies showed that fewer than one-third of police pursuits result in an accident, and only 1 percent resulted in death — a significant difference from the earlier findings.

An important factor in the Alpert-Dunham study was that they took an in-depth look at the injuries that resulted from the police pursuits and found that personal injuries occurred in 17 percent of the chases. A careful analysis of these injuries found that nearly one-third of them occurred after the chase terminated and while the officer was attempting to make an arrest. Previous studies failed to consider this important point.

Of course, there are criticisms of the Alpert-Dunham study. It tends to minimize the economic impact that pursuit-related lawsuits have on a community, wherein one adverse civil judgment can bankrupt a small town. Also, the study does not evaluate both the range and severity of the injuries incurred in

a pursuit. These are important criticisms, to be sure, but the Alpert-Dunham study has gone further than previous examinations of this subject.

Another important finding in the Alpert-Dunham study is that nearly 50 percent of the pursued violators who were apprehended were charged with serious felony offenses unrelated to the pursuit. Again, this finding contradicts the conventional wisdom which argues that the vast majority of people flee the police only to escape a traffic charge.

The authors effectively argue that lawsuits, recent U.S. Supreme Court decisions (including *Tennessee v. Garner*), and the basic police philosophy to protect life and property make it necessary that all police agencies have a "strongly stated policy, proper and comprehensive training, strict supervision, and accountability requiring a detailed report focusing officers' attention on the seriousness and potential dangers of pursuit driving."

Alpert and Dunham also feel that much of the current policies governing police pursuits are based on nothing

more than speculation, and that more empirical data is needed.

The appendix offers some policies and studies relating to police pursuits. Some of these studies suggest photographing violators through the use of dashboard-mounted cameras, as is done in Germany, Switzerland and Japan; initiating legislation that allows the police to impound a vehicle that has been used to willfully flee from the police; and automatic license revocation for those who flee from the police.

Without giving the police some assistance in this area, do we reward those who flee from the police (by their avoiding a penalty) while we penalize

those who stop on command (by their receiving a ticket)?

"Police Pursuit Driving" is an important book for the continuing debate on police pursuits. High-speed police pursuits are perhaps the most dangerous of all ordinary police activities, and they should not be allowed without a firm policy controlling them. This book will contribute to that policy-making decision by offering empirical data instead of unsupported opinion and media sensationalism.

(Kenneth Bovasso is a lieutenant with the Omaha, Neb., Police Division.)

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Forensic Analyst. The Rochester, Minn., Police Department is currently accepting applications for the newly created position of Forensic Analyst. The position involves responsibility for examining crime scene evidence for fingerprints, operating fingerprint identification equipment, researching new identification procedures, and instructing police officers on crime scene investigation techniques.

Desirable qualifications include a bachelor of arts or bachelor of science degree, and instructive training in fingerprint identification via FBI courses or law enforcement formal courses, seminars and/or workshops. Applicants must be certified by the International Association for Identification or have five or more years of latent fingerprint experience and 80 or more hours of classroom instruction in fingerprint identification.

The starting annual salary range is \$28,861 to \$36,076, plus excellent benefits. Apply by 5:00 P.M., Feb. 15, 1991. To request additional information or an application, contact: City of Rochester, Personnel Department, City Hall, Room 107, 224 First Avenue S.W., Rochester, MN 55902. (507) 285-8074. EDE/AA.

Police Officers. Dakland, Calif., is seeking candidates for appointment as police officers.

New police officers are classified as trainees and are compensated at \$2,690 per month until successful completion of the police academy. Salary for officers then increases to \$3,258-\$3,928 per month, include 9-percent city-paid retirement benefits.

For more information, call: (415) 273-3338.

State-Certified Police Officers. The City of Syracuse, N.Y., is seeking Hispanic/Latino New York Certified Police Officers who are presently employed as such, for lateral-entry transfer.

The salary for Syracuse police officer ranges from \$20,890 to \$31,787 depending upon years of service. The Syracuse Police Department has more than 450 sworn personnel and provides urban policing for a city of 165,000.

Syracuse, located in Central New York, offers its municipal employees first-rate schools, health-care facilities, performing arts centers, and spectacular outdoor recreation areas.

Fringe benefits provided Syracuse police officers include: comprehensive health care, dental plan, retirement, workers compensation, life insurance, and disability benefits. Also, longevity service pay, deferred compensation plan, and flexible benefits program.

Qualified applicants should contact the Syracuse Police Department's Personnel Division, 511 South State Street, Syracuse, NY 13202. (315) 442-5290.

Undercover Investigators. PLE, a division of Business Risks International, is seeking professionals to work as undercover drug investigators. The position requires dedicated, self-reliant individuals who are capable of working with minimal supervision.

Positions are available throughout the United States. Travel and relocation are required. Previous law enforcement experience, or equivalent education and experience, is preferred.

Income will vary based upon assignment and location. Minimum salary: \$28,800, plus health, dental and life insurance. Excellent potential for advancement.

To apply, send resume to: PLE, A Division of Business Risks International, 3401 Park Center Dr., Suite 345, Dayton, OH 45414.

Police Officer. The Prince George's County, Md., Police Department is conducting continuous recruitment for police officer vacancies. The department seeks applicants demonstrating good character, sound judgment, open-mindedness, and interest in public service. Applicants must be United States citizens at least 21 years old at time of appointment, with a high school diploma or G.E.D., and must have vision not worse than 20/100, correctable to 20/20, with no color blindness. Applicants must possess or be able to obtain a valid driver's license, and must pass a written exam and be in good physical and mental health, as determined by a comprehensive exam. Entry level salary is \$24,404.

Address inquiries to: Prince George's County Police Department, Recruiting Section, 425 Brightseat Road, Landover, MD. (800) 446-8790.

Highway Patrol Officers. The California Highway Patrol conducts testing on a quarterly basis for state traffic officer positions.

Applicants must be United States citizens 20-31 years of age, with a high school diploma or G.E.D., and possess a California driver's license upon acceptance into training academy; vision must be no less than 20/40 uncorrected, correctable to 20/20, with no color blindness; applicants may not have previous felony convictions. Selection process will include: written exam, physical agility test, interview, medical exam, and comprehensive background investigation. Salary is \$2,410 per month during 22-week in-residence training academy, and \$2,800-\$3,500 per month after graduation.

Direct inquiries to: California Highway Patrol Recruitment, Golden Gate Division, 1551 Benicia Road, Vallejo, CA 94591. (707) 648-4195.

Crime Scene Specialist. Collier County Sheriff's Office, Naples, Florida, is accepting applications for an immediate opening for a LEO-certified Crime Scene Specialist. Applications accepted until February 1, 1991 from High School graduate or GED. Four years crime scene and related experience required. Photography, latent print comparison, IAI membership and knowledge of crime scene technologies preferred. Excellent benefits, state retirement system. Equal opportunity employer. For further information and/or application, contact: Personnel Division, Collier County Sheriff's Office, 3301 East Tamiami Trail, Naples, FL 33964. (813) 774-4434.

Great police careers are made, not born. Start making yours with the help of the Jobs section of Law Enforcement News.

Forum: Satanism workshops bedevil

Continued from Page 8

Shawn Carlson argues: "These workshops are taught by people who are motivated by their own sense of religious truth, and not by their understanding of the U.S. Constitution."

A perfect example of this is Michael Rokos. Rokos and CAN have fueled fears about satanism as a means of attacking legitimate, albeit non-traditional churches, which CAN has labeled "cults." Under the guise of providing information on satanism, Rokos and other CAN officials are slowly and covertly indoctrinating law enforcement personnel nationwide into a dangerous mindset of religious intolerance.

Long-time CAN strategist Marsha Rudin stated as much during the organization's 1989 national convention. The satanism issue, she beamed, "has enabled us to make a breakthrough with the police—hundreds and hundreds of programs all over the country—and we always slip our cult message in also..."

"I attended a half-hour talk on satanism that Michael Rokos gave to police officers in Maryland," recalled Baptist minister George Robertson. "About the first two minutes were on satanism. The rest was an attack on a local fundamental Christian church that CAN has labeled a cult."

Shedding an Unsavory Past

Ironically, CAN, like Rokos, has attempted to escape an unsavory and controversial past filled with criminal convictions and official condemnations from new and mainstream religions alike.

CAN got its start in 1974 as the Citizens Freedom Foundation, with a great deal of assistance from Ted Patrick, the so-called "father of deprogramming." Patrick immediately began to profit handsomely from the formation of CFF, which sent him and other deprogrammers scores of stirred-up parents who had been so frightened by CFF propaganda that they were willing to pay up to \$20,000 to have their adult children kidnapped and deprogrammed.

Deprogramming is the process of kidnapping people from their places of worship, and then subjecting them to days or weeks of continuous verbal abuse and confrontation with little sleep or food, in an effort to force them to renounce their religious beliefs. This activity has been emphatically condemned by the National Council of

Churches and by a host of other religious and civil liberties organizations.

CFF's bad reputation as an extremist group was further dirtied by the numerous criminal convictions returned against Ted Patrick and other deprogrammers and members of the group. The reputation has remained even to this day. Critics point to the fact that many of CFF's most ardent supporters of illegal deprogramming are still active members and officials of the group under its new name.

"The KKK of Religion"

"CAN is the KKK of religion," charges the Rev. Jim Nicholls, an Assemblies of God minister who hosts his own half-hour national religious TV program. "It is a hate group, which has turned to the satanism issue to promote religious bigotry and intolerance to police and government employees."

Others point out that CAN turned to the satanism issue out of desperation because the American public was not buying its anti-cult message.

"CAN's interest in satanism started right after they suffered some real programmatic problems," notes Dr. Melton. "This came right after the defeat of their cult legislation in Washington, D.C., in 1988. The satanism issue has given them access to the media. Now they're major players."

"CAN basically was an organization in danger of losing its clientele," adds Dr. Shupe. "I see CAN picking up satanism as a new program to promote itself and gain new members. Their earlier attack on TV evangelicals didn't go over well with their conservative religious constituency."

Law enforcement personnel must be objective when investigating crime. Religious prejudice can only cloud that objectivity and impede efficiency. It can also lead to legal and public relations nightmares. The bottom line is that police, acting on unreliable information and reacting to public hysteria, can actually make their communities more dangerous by fueling unfounded fears.

Hicks recommends that "if law enforcers come away from a seminar thinking there is a big satanic conspiracy, they should wait a minute and use the same skepticism as they would apply to a criminal investigation."

In light of the revealing history of Mr. Rokos and the Cult Awareness Network, such skepticism would be well placed.

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The Security Management Institute

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Starts Feb. 4, 1991

(Ten sessions, Monday evenings, 6-10 P.M.)

For more information, contact: SMI, 899 Tenth Avenue, New York, NY 10019. (212) 237-8639, 8638.

Upcoming Events

FEBRUARY

1. Responding to Hazardous Materials Incidents. Presented by the Center for Criminal Justice, Case Western Reserve University. To be held in Cleveland, Ohio. Fee: \$75.

4-7. The Reid Technique of Interviewing & Interrogation. Presented by John E. Reid & Associates. To be held in Chicago. Fee: \$550.

4-7. Police Internal Affairs. Presented by the Institute of Police Technology & Management. To be held in Phoenix. Fee: \$375.

4-8. Applied Statistical Analysis for Law Enforcement. Presented by SEARCH Group Inc. To be held in Sacramento, Calif.

4-8. Tactical Team Operations II. Presented by the Institute of Public Service. To be held in Gainesville, Ga. Fee: \$525.

4-8. Sex Crimes Investigation. Presented by the Institute of Police Technology & Management. To be held in St. Augustine, Fla. Fee: \$395.

4-8. Undercover Drug Enforcement Techniques. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$495.

4-8. Research Techniques. Presented by the Traffic Institute. To be held in Evanston, Ill. Fee: \$450.

4-8. Managing Police Training. Presented by the Traffic Institute. Fee: \$450.

4-15. Advanced Traffic Accident Investigation. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$575.

4-22. Crime Prevention Theory, Practice & Management. Presented by the National Crime Prevention Institute. To be held in Louisville, Ky. Fee: \$870.

5-6. Executive/VIP Protection. Presented by Richard W. Kobetz & Associates. To be held in New Orleans. Fee: \$375.

5-7. The Reid Technique of Interviewing & Interrogation. Presented by John E. Reid & Associates. To be held in Kansas City, Mo. Fee: \$495.

7-8. Hostage Negotiations. Presented by Richard W. Kobetz & Associates. To be held in New Orleans. Fee: \$375.

11-13. Advanced Crime Prevention Skills, Part I. Presented by the Florida Crime Prevention Training Institute. To be held in Ocala. Fee: \$150.

11-13. Street Survival '91. Presented by Calibre Press. To be held in Tulsa, Okla. Fee: \$149 (all three days); \$125 (first two days only); \$85 (third day only).

11-13. The Reid Technique of Interviewing & Interrogation. Presented by John E. Reid & Associates. To be held in Baltimore. Fee: \$495.

11-15. Introductory Team-Up Database Management. Presented by the Institute of Police Technology & Management. To be

held in Jacksonville, Fla. Fee: \$575.

11-15. Narcotic Identification & Investigation. Presented by the Institute of Police Technology & Management. To be held in Pensacola, Fla. Fee: \$395.

11-15. Police Traffic Radar Instructor. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$395.

11-15. Satanic & Deviant Cults. Presented by the Department of Defense Polygraph Institute. To be held in Fort McClellan, Ala.

11-15. Defensive Tactics Instructor Course. Presented by the University of Alabama Law Enforcement Academy. To be held in Tuscaloosa, Ala. Fee: \$410.

11-22. Advanced Traffic Accident Investigation. Presented by the Institute of Police Technology & Management. To be held in Franklin, Tenn. Fee: \$575.

11-March 8. Police Traffic Management. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$995.

12-13. Drug Asset Seizure & Forfeiture Management. Presented by the Traffic Institute. Fee: \$125.

13-15. Management & Planning of Law Enforcement Facilities. Presented by the Southwestern Law Enforcement Institute. To be held in Dallas. Fee: \$150 (SLEI members); \$250 (non-members).

14-15. Concealment Areas Within a Vehicle. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$250.

14-15. Advanced Crime Prevention Skills, Part II. Presented by the Florida Crime Prevention Training Institute. To be held in Barberville, Fla. Fee: \$100.

18-22. Field Training Officer Seminar. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$395.

18-March 1. Traffic Accident Reconstruction. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$595.

19-21. Hostage Negotiations. Presented by the Institute of Public Service. Fee: \$295.

19-21. The Reid Technique of Interviewing & Interrogation. Presented by John E. Reid & Associates. To be held in Cincinnati. Fee: \$495.

19-22. Limited Manpower Detail Protection. Presented by the Institute of Public Service. Fee: \$700.

20-22. Street Survival '91. Presented by Calibre Press. To be held in Atlantic City, N.J. Fee: \$149 (all three days); \$125 (first two days only); \$85 (third day only).

25-26. The Reid Advanced Technique of Interviewing & Interrogation. Presented by John E. Reid & Associates. To be held in Atlanta. Fee: \$345.

25-27. High-Risk Incident Management. Presented by the Traffic Institute. Fee: \$350.

25-28. Practical Crime Analysis. Presented by the National Crime Prevention Institute. Fee: \$320.

25-March 1. Criminal Patrol Drug Enforcement. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$395.

25-March 1. Advanced Management Practices. Presented by the New England Institute of Law Enforcement Management. To be held in Wellesley, Mass.

26-28. Symposium on Microcomputers in Law Enforcement. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$295.

27-28. Sex Crimes Investigation. Presented by the Center for Criminal Justice, Case Western Reserve University. Fee: \$150.

27-March 1. Street Survival '91. Presented by Calibre Press. To be held in New Orleans. Fee: \$149 (all three days); \$125 (first two days only); \$85 (third day only).

MARCH

4. Risk Management: Deadly Force. Presented by the Southwestern Law Enforcement Institute. To be held in Denver. Fee: \$95 (SLEI members); \$120 (non-members).

4-5. Executive/VIP Protection. Presented by Richard W. Kobetz & Associates. To be held in Dallas. Fee: \$375.

4-6. Street Survival '91. Presented by Calibre Press. To be held in Pittsburgh. Fee: \$149 (all three days); \$125 (first two days only); \$85 (third day only).

4-6. The Reid Technique of Interviewing and Interrogation. Presented by John E. Reid & Associates. To be held in San Antonio, Tex. Fee: \$495.

4-6. The Reid Technique of Interviewing and Interrogation. Presented by John E. Reid & Associates. To be held in Indianapolis, Ind. Fee: \$495.

4-7. Interviews & Interrogations for Internal Affairs Officers. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$375.

4-8. Managing Police Traffic Services. Presented by the Traffic Institute. To be held in Evanston, Ill. Fee: \$500.

4-8. Commercial Security. Presented by the Florida Crime Prevention Training Institute. To be held in Jacksonville. Fee: \$200.

4-8. Bloodstain Evidence Workshop. Presented by the Institute of Police Technology & Management. Fee: \$450.

4-8. Composite Drawing for Law Enforcement. Presented by the Institute of Police Technology & Management. Fee: \$425.

4-8. Comprehensive Police Fleet Management. Presented by the Institute of Police Technology & Management. Fee:

\$395.

4-8. Photography in Traffic Accident Investigation. Presented by the Institute of Police Technology & Management. To be held in Phoenix. Fee: \$450.

4-8. Child Abuse Intervention, Referral & Investigation. Presented by the Delinquency Control Institute. To be held in Santa Barbara, Calif.

4-15. Crime Prevention Technology & Programming. Presented by the National Crime Prevention Institute. To be held in Louisville, Ky. Fee: \$615.

5-7. Special Event & Disaster Planning. Presented by the Traffic Institute. Fee: \$450.

6-7. Contemporary Terrorism. Presented by Richard W. Kobetz & Associates. To be held in Dallas. Fee: \$375.

8-9. Middle Eastern Terrorism. Presented by Richard W. Kobetz & Associates. To be held in Dallas. Fee: \$375.

11-12. Measuring Productivity in Law Enforcement. Presented by the Traffic Institute. Fee: \$225.

11-13. The Reid Technique of Interviewing and Interrogation. Presented by John E. Reid & Associates. To be held in Los Angeles. Fee: \$495.

11-13. Employee Assistance Programs: Policies, Procedures & Supervision of Problem Employees. Presented by the Traffic Institute. Fee: \$450.

11-13. Managing Field Training Officer Programs. Presented by the Traffic Institute. Fee: \$400.

11-13. The Investigation & Prosecution of Complex Narcotics Cases. Presented by the Washington Crime News Services Educational Institute. To be held in Burbank, Calif.

11-15. Forensic Hypnosis. Presented by the University of Alabama Law Enforcement Academy. To be held in Tuscaloosa. Fee: \$500.

11-15. Tactical Team Operations I. Pre-

sented by the Institute of Public Service. To be held in Gainesville, Ga. Fee: \$500.

11-15. Developing & Maintaining a DWI Program. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$395.

11-15. Field Training Officer Seminar. Presented by the Institute of Police Technology & Management. To be held in Palatka, Fla. Fee: \$395.

11-15. Police Motorcycle Rider Course. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$595.

11-15. Skills Development: Advanced Composite Art. Presented by the Institute of Police Technology & Management. Fee: \$450.

11-15. Fundamentals of Courtroom Testimony for Polygraph Examiners. Presented by the Department of Defense Polygraph Institute. To be held in Fort McClellan, Ala.

11-22. Police Motorcycle Instructor Course. Presented by the Institute of Police Technology & Management. Fee: \$1,000.

12-14. The Reid Technique of Interviewing and Interrogation. Presented by John E. Reid & Associates. To be held in Atlantic City, N.J. Fee: \$495.

12-15. Crisis Management Operations. Presented by the Institute of Public Service. Fee: \$445.

13-15. Excellence Through Leadership. Presented by the Traffic Institute. Fee: \$350.

14-15. The Advanced Reid Seminar on Interviewing and Interrogation. Presented by John E. Reid & Associates. To be held in Los Angeles. Fee: \$345.

To list conferences, seminars and workshops in LEN's Upcoming Events section, send particulars to: LEN, Upcoming Events, 899 10th Ave., New York, NY 10019.

ICMA to Offer Seminars on COPS

The National Institute of Justice has awarded the International City Management Association a one-year grant to develop training curriculum and conduct three pilot seminars on community-oriented policing (COPS).

COPS is an effective alternative policing strategy for improving crime control that focuses on actively engaging the community to look for the causes of crime and to empower the community to restrain crime. The objectives of this project are to transfer the successful COPS approach to local governments and to develop training seminars that will help local governments implement COPS.

A group consisting of local government, law enforcement, and academic professionals held an advisory board meeting with seminar trainers. The first two-day seminar has been scheduled for March 1991. The board decided that a maximum of 15 jurisdictions may participate in each seminar; each jurisdiction will be represented by a four-member team including its chief executive and its police chief. (It is mandatory that these two staff members attend.) The other two representatives, to be chosen by the local government's chief executive, will be members of the local government's management team (e.g., director of public works, director of recreation, etc.).

ICMA welcomes written invitations from local government chief executives or state associations to co-sponsor any of the three seminars. Jurisdictions interested in attending should contact ICMA in writing at the address below. Case studies—written and videotaped—of successful or unsuccessful approaches to COPS are also welcome.

For more information, contact: E. Roberta Lesh, Director, Police Programs, ICMA, 777 N. Capitol Street N.E., Suite 500, Washington, DC 20002-4201. (202) 962-3575. Fax: (202) 962-3500.

For further information

Broward Sheriff's Office Organized Crime Centre, P.O. Box 2505, Fort Lauderdale, FL 33303 (305) 492-1810.

Calibre Press, 666 Dundee Rd., Suite 1607, Northbrook, IL 60062-2727. (800) 323-0037.

Center for Criminal Justice, Case Western Reserve University, Cleveland, OH 44106. (216) 368-3308.

Criminal Justice Center Police Academy, Sam Houston State University, Box 2296, Huntsville, TX 77341-2296. (409) 294-1669, 70.

Delinquency Control Institute, University of Southern California, School of Public Administration, 3601 South Flower St., Los Angeles, CA 90007. (312) 743-2497.

Department of Defense Polygraph Institute, Building 3195, Fort McClellan, AL 36205-5114. (205) 848-3336.

Florida Crime Prevention Training Institute, Office of Crime Prevention & Training, The Capitol, Tallahassee, FL 32399-1050. (904) 487-3712.

Institute of Police Technology & Management, University of North Florida, 4567 St. Johns Bluff Rd. So., Jacksonville, FL 32216. (904) 646-2722.

Institute of Public Service, 601 Broad St., S.E., Gainesville, GA 30501. 1-800-235-4723.

Richard W. Kobetz & Associates Ltd., Arcadia Manor, Rte. 2, Box 3645, Berryville, VA 22611. (703) 955-1128.

National Crime Prevention Institute, Shelby Campus, University of Louisville, Louisville, KY 40292. (502) 588-6987.

New England Institute of Law Enforcement Management, P.O. Box 57350, Bab-

son Park, MA 02157-0350. (617) 239-7033

John E. Reid & Associates Inc., 250 South Wacker Dr., Suite 1100, Chicago, IL 60606. (312) 876-1600.

SEARCH Group Inc., 7311 Greenhaven Dr., Suite 145, Sacramento, CA 95831. (916) 392-2550.

Southwestern Law Enforcement Institute, P.O. 830707, Richardson, TX 75083-0707. (214) 690-2370.

Traffic Institute, 555 Clark St., P.O. Box 1409, Evanston, IL 60204. 1-800-323-4011.

University of Alabama Law Enforcement Academy, Box 870388, Tuscaloosa, AL 35487-0388. (205) 348-5831.

Washington Crime News Services Educational Institute, Attn: Nancy Van Wyen, Seminar Coordinator, 1-800-321-6004

Law Enforcement News

Vol. XVI, No. 326 A publication of John Jay College of Criminal Justice/CUNY December 15, 1990

It's 11 o'clock: Do you know where your children are?

In some cities, you may be risking jail or a fine if your child is caught outside after curfew. Not everyone is wild about the idea, but to some it's an appealing crime-prevention tool. On 1.

Satanism troubling your community?

Don't leap to any conclusions. If you attended a certain law enforcement workshop on satanism, some observers say, you may soon have second thoughts about the information you were given. Forum, Page 8.

Also in this issue:

Two new Miranda warnings from the U.S. Supreme Court, affecting cops on two levels. Page 1.

A police department's effort to get reimbursed by the White House or the Republican Party for the expense of protecting the President and Vice President gets a polite rejection. Page 1

The budget outlook for Vermont criminal justice agencies is shaping up like a whole lot of minuses, and the consequences are dire. Page 3.

People & Places: Some cities gain a chief, one fires an indicted one, another indicts a fired one. Plus, the predictive powers of a fortune cookie. Page 4.

Burden's Beat: Helping hurt, wounded police officers to help themselves, with the NYPD Police Self-Support Group. Page 5.

Making The Case: Stephen Goldsmith's "Confessions of a District Attorney." Page 7.

Criminal Justice Library: "Character and Cops," and a new analysis of police pursuit driving. Page 9.

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